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Elimination of racism, racial discrimination, xenophobia and related intolerance: comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Report of the Secretary-General

Summary

The present report is submitted in accordance with General Assembly resolution 63/242, entitled "Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action", in which the Assembly requested the Secretary-General to submit a report on the implementation of the resolution to the Assembly at its sixty-fourth session.

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I. Introduction

1. In paragraph 2 of its resolution 63/242, the General Assembly expressed its profound concern about and its unequivocal condemnation of all forms of racism and racial discrimination, including related acts of racially motivated violence, xenophobia and intolerance, as well as propaganda activities and organizations that attempt to justify or promote racism, racial discrimination, xenophobia and related intolerance in any form. In paragraphs 3 and 6, the Assembly expressed deep concern at the attempts to establish hierarchies among emerging and resurgent forms of racism, racial discrimination, xenophobia and related intolerance and recognized that racism, racial discrimination, xenophobia and related intolerance occur on the grounds of race, colour, descent or national or ethnic origin and that victims can suffer multiple or aggravated forms of discrimination based on related grounds, such as sex, language, religion, political or other opinion, social origin, property, birth of other status. In paragraph 8, the Assembly emphasized that it is the responsibility of States to adopt effective measures to combat criminal acts motivated by racism, racial discrimination, xenophobia and related intolerance, including measures to ensure that such motivations are considered an aggravating factor for the purposes of sentencing, to prevent those crimes from going unpunished and to ensure the rule of law.

2. The General Assembly reaffirmed, in paragraph 7 of resolution 63/242, that any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence should be prohibited by law. In paragraph 10, the Assembly called upon all States to take all necessary measures to combat incitement to violence motivated by racial hatred, including through the misuse of print, audio-visual and electronic media and new communication technologies, and, in collaboration with service providers, to promote the use of such technologies, including the Internet, to contribute to the fight against racism, in conformity with international standards of freedom of expression and taking all necessary measures guarantee that right.

3. In the context of the foregoing, the General Assembly, in paragraph 58 of resolution 63/242, requested the Secretary-General to submit a report with recommendations on the implementation of the resolution to the Assembly at its sixty-fourth session.

4. The present report was preceded by another report on the same subject (A/63/366), submitted in accordance with General Assembly resolution 62/220, which reported on global efforts undertaken in this regard and on the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action from August 2007 to July 2008.

5. In accordance with previous practice, the present report summarizes information received on activities undertaken by various actors pursuant and relevant to General Assembly resolution 63/242. In preparing the report, the Office of the United Nations High Commissioner for Human Rights (OHCHR) sent notes verbales to Member States and letters to United Nations bodies, regional organizations, national human rights institutions and non-governmental organizations, requesting information, to be received by 3 July 2009, on the implementation of resolution A/63/242.

6. Following the request for contributions, OHCHR received submissions from the following nine Member States: Azerbaijan, the Bolivarian Republic of Venezuela, Bulgaria, Guatemala, Japan, Morocco, Rwanda, Switzerland and Turkmenistan. Twelve replies were received from United Nations bodies, regional and other intergovernmental organizations, national human rights institutions and non-governmental organizations. The information received from the Member States and other actors is summarized in the present report. The original text of the contributions is available for consultation in the files of the Secretariat.

II. Contributions received

A. Member States

Azerbaijan

7. Azerbaijan highlighted that, in chapter III, article 25 of its Constitution, the equality of rights and liberties of everyone is guaranteed. Article 47 of its Constitution prohibits propaganda, incitement to racial, national, religious and social discord and hatred. In 2009, article 25 was amended to prohibit discrimination in the provision of benefits and privileges.

8. Azerbaijan noted that article 109 of its penal code criminalizes the persecution of any group or organization on political, racial, national, ethnic, cultural, religious, sex or other grounds prohibited by international law. Articles 111 and 283 of the code provide penalties for racial discrimination and for incitement to national, racial, social or religious hatred, respectively. While article 154 stipulates penalties for the infringement of the equality of citizens, articles 167 and 168 penalize illegal impediments to the holding of religious rituals and infringement of citizens' rights on the pretext of conducting religious activities, respectively. Azerbaijan also reported one conviction for the violation of article 283 and two convictions for the violation of article 168 in 2008.

9. In its submission, Azerbaijan reported that foreigners and stateless persons are equal before its law and courts. The State Migration Service was established by Presidential decree on 19 March 2007. In 2008, several regulations were amended in order to improve the State apparatus in the area of migration management. In 2009 the President of Azerbaijan issued a decree on the application of the "single window" principle in migration management, which simplifies the procedure for granting residency and work permits to foreigners. Azerbaijan also reported that, in December 2006, it adopted the national action plan on the protection of human rights.

Bolivarian Republic of Venezuela

10. In its submission, the Bolivarian Republic of Venezuela reported that it is a multi-ethnic, multiracial and multi-cultural country. Equality and non-discrimination are enshrined in its Constitution, article 19 of which guarantees the enjoyment of human rights without discrimination and article 21 of which provides for the equality of all under the law.

11. The Government of the Bolivarian Republic of Venezuela has adopted positive measures to protect people or groups vulnerable to discrimination. It has also established normative frameworks to address discrimination, racism, and xenophobia including protection of refugees, protection of children, protection of labour rights and protection of women against violence. There is a strong focus on indigenous peoples, Afro-descendants, migrants, refugees, women, children, adolescents, people with disabilities and the elderly. In relation to national institutions, the Government has created the office of the Ombudsman to promote and defend human rights in the country.

Bulgaria

12. Bulgaria has ratified the International Convention on the Elimination of All Forms of Racial Discrimination. The principle that all persons are born free and equal in dignity and rights is enshrined in article 6, paragraph 2, of the Constitution. This provision explicitly prohibits discrimination on the grounds of race, nationality, ethnicity, sex, origin, religion, education, opinion, political affiliation, marital or social status or property status.

13. In September 2003, Bulgaria adopted a law on protection against discrimination. Drafted by an inter-institutional expert group with the participation of non-governmental organizations (NGOs), the law provides safeguards against all forms of discrimination and prohibits direct and indirect discrimination. As provided for in the law, the Commission for Protection against Discrimination was created to prevent discrimination, to protect against discrimination and to ensure equal opportunities. The Commission is authorized to receive and investigate complaints as well as to act ex officio in cases of discrimination. Since 2006, the effectiveness of the Commission's work has been enhanced through the organization of regular sessions in various towns in the country as well as training and awareness-raising seminars. The Commission has adopted a long-term plan of action against discrimination, 2006-2010, which includes the following priorities: conducting studies, carrying out information campaigns, establishing a database and conducting thematic monitoring.

Guatemala

14. Guatemala has taken various measures in order to eliminate racism, racial discrimination, xenophobia and related intolerance, including mechanisms and institutions, which either by mandate or objective, have advanced the Durban Declaration and Programme of Action. These include the Presidential Commission on Discrimination and Racism against Indigenous Peoples, the Presidential Commission of Human Rights, and the Human Rights Section of the Ministry of External Relations. Guatemala considers the Durban Declaration and Programme of Action to be complementary to other international human rights instruments.

15. In 2006, Guatemala published the report of a diagnostic study and investigation on racism in the country. In 2007, it produced its second report on indigenous women's access to the judicial system. The latter report was prepared by the Ombudsman's Office for Indigenous Women, which examines the situation of indigenous women.

Japan

16. The Government of Japan has taken several measures to fight racial discrimination. The Japanese penal code provides that incitement to racial discrimination or participation in such an act is punishable as a crime of instigation (articles 61 and 62). There is no specific law to punish violence against specific groups, although aspects of the penal code could fulfil this requirement, for example: the riot provisions for cases in which a large number of persons assemble and use violence or threats of violence (article 106); provisions against rape (article 177); homicide (article 199); bodily injury (article 204); and unlawful meeting and assembly with dangerous weapons (article 208-2).

17. Japan noted that its broadcasting law provides that broadcasters, in compiling programmes for domestic broadcasting, shall not disturb public security, good morals and manners, shall be politically impartial and shall broadcast the news without distorting facts. Information on the Internet that infringes on the rights of others is addressed by the law concerning limitations on the liability for damage of specified telecommunications service providers and the disclosure of details on information senders. The guidelines for defamation and privacy adopted by the Telecommunications Carriers Association as a code of conduct for Internet service providers and similar businesses were revised in October 2004. In this process a procedure for fighting serious human rights abuses was introduced in which the human rights organs of the Ministry of Justice were authorized to request Internet service providers to delete information that infringes on the rights of the others.

18. Japan reported that there are provisions under the legal system, that prohibit and/or punish organizations and/or activities that promote or incite racial discrimination. Under the provisions of the subversive activities prevention law, organizations could be dissolved, their activities restricted or their members punished for promoting or inciting racial hatred or for engaging in violent and destructive activities.

Morocco

19. Morocco reported that the preamble of its Constitution reaffirms a commitment to the principles of universal human rights. Moreover, article 431-1 bis of Act 24-03 of 11 November 2003, which completes the criminal code, criminalizes discrimination. Under article 431-1, discrimination is punishable by imprisonment for a period of one month to two years and a fine ranging from 1,200 to 5,000 dirhams. Criminalization is not limited to acts of discrimination against individuals but extends to all forms of distinctions among entities, in accordance with article 431-1 bis.

20. Morocco noted that discrimination is equally criminalized in its labour law. Article 9 of the labour code forbids any discrimination. The criminalization and the prohibition of discrimination extends to the field of public freedoms and political practice, as reflected in the last amendments of the laws on the press, associations and political parties. Article 51 of the law on organizations and the functioning of penitentiary institutions forbids any discriminatory treatment of prisoners based on race, colour, sex, nationality, language, religion, opinion or social class.

21. Article 39 bis of the press code, amended on 3 October 2002, prohibits incitement of racial discrimination that employs public means or discourses, or occurs during public gatherings or in public places. Such acts are punishable by imprisonment for a period ranging from one month to one year and a fine of up to 3,000 dirhams.

22. The law on associations, as amended on 23 July 2002, as well as the new law on political parties prohibits the establishment of a political party founded on discrimination.

23. Morocco reported that on the occasion of the Durban Review Conference, the Ministry of the Justice reaffirmed its view that the next review conference should focus on the implementation of operational mechanisms as well as actions that follow up on the implementation of recommendations of the Durban Declaration and Programme of Action. Such actions could include the advancement of justice for all victims and organization of seminars on religion, racial hatred and freedom of expression. Morocco has proposed to host a seminar on this issue for the African region.

Rwanda

24. The Constitution of Rwanda guarantees equality and freedom from discrimination. It stipulates that all Rwandans are born and remain free and equal in rights and duties (article 11, para. 1). It prescribes that discrimination based on, inter alia, ethnic origin, tribe, clan, colour, sex, region, social origin, religion or faith, opinion, economic status, culture, language, social status, physical or mental disability or any other form of discrimination is punishable by law (article 11, para. 2). In the same spirit, the criminal code prohibits any form of discrimination against individuals or groups of people. In this vein, article 393 of the code envisages punitive measures against any person, who, by defamation or public insult, manifests aversion or hatred towards a group of persons or a given race or religion, or commits an act likely to provoke such aversion or hatred.

25. Rwanda reported that its law to punish the crime of genocide, crimes against humanity and war crimes, adopted in 2003, was followed by the adoption of law No. 18/2008 on the punishment of the crime of genocidal ideology on 23 July.

26. Discrimination is also prohibited in employment by the general statute of public service and the labour code. Furthermore, the organic law No. 20/2003 on education of 3 August 2003 outlaws discrimination in education and emphasises the promotion of a culture of peace, tolerance, justice, respect for human rights, solidarity and democracy. The law governing political organizations and politicians (organic law No. 19/2007 of 4 May 2007) prohibits political organizations based on ethnicity, race, tribe, clan, kinship, region, sex, religion or other criteria that may give rise to discrimination. Discrimination or incitement that may lead to the commission of crimes against certain individuals and groups is also prohibited in the Rwandan press law (law No. 18/2002 of 11 May 2002).

27. Rwanda noted that the constitutional prohibition of gender discrimination is complemented by law No. 59/2008 on the prevention and punishment of gender-based violence. The matrimonial regime and succession law (law No. 22/99 of 12 November 1999) categorically creates equal rights for both men and women.

28. Rwanda created several specialized institutions to enhance equality and combat discrimination, including the Office of the Ombudsman, the Rwanda National Commission for Human Rights, the Rwanda National Unity and Reconciliation Commission, the Rwanda National Commission for the Fight against Genocide, the Rwanda National Electoral Commission, the National Law Centre and the Women and Youth Councils and Gender Observatory.

Switzerland

29. The new federal law on foreigners allows, for the first time, a statutory recognition of the policy of integration. In order to enhance equality of opportunity and to prevent discrimination, the Federal Office of Migrants financially supports a large number of programmes for integration. The cantons also receive fixed allowances in order to facilitate the social and professional integration of refugees and other categories of foreigners. In August 2007, the Federal Council adopted a catalogue of 45 measures of integration that were implemented by 11 federal offices and coordinated by the Federal Office on Migrants.

30. Since 2001, the Service for the Fight against Racism (Service de lutte contre le racisme) has financed more than 800 projects nationwide. The Federal Office of Equality between Women and Men has supported projects focusing on professional integration. The Federal Office of Public Health has also developed projects and strategies in preventive health care for migrants.

31. With regard to education, the Conference of Directors of Public Institutions, which focuses on the integration of children of migrants, reaffirmed the right to education and the principle of access to schools for all children irrespective of their residency status.

32. Switzerland also noted that since January 2003 the Service of National Coordination for the Fight against Criminality on the Internet has been active in two areas. It receives alerts from the public and conducts independent research on the Internet in order to fight criminal acts, with particular emphasis on the issues of child pornography, right extremism and racism. With regard to ethics in the electronic media, pertinent issues are handled by the Swiss Press Council and the Independent Authority on complaints.

33. Switzerland also pointed out that the Service for the Fight against Racism currently implements a monitoring system on racism, xenophobia and discrimination. In 2010, in cooperation with other offices of the Federal Administration, the Service will launch a pilot project for a survey on racism and xenophobia for a period of five years.

Turkmenistan

34. The Government of Turkmenistan pointed out that it continues reforming the national system for the protection of human rights in accordance with its international obligations. In this regard, a number of practical measures were implemented in the country in 2007. These measures include the establishment of the State commission for the review of citizens' complaints regarding the activities of law enforcement agencies, the interdepartmental commission on ensuring Turkmenistan's compliance with its international human rights obligations and the State commission for the enhancement of national legislation. The interdepartmental

commission aims, over the long term, to monitor national legislation in the area of human rights and to prepare proposals on institutional reforms and the implementation of international human rights norms.

35. The new amendment of the Constitution, which was adopted in September 2008, is in accordance with international human rights principles and guarantees a wider spectrum of rights and freedoms. The amendment complements other measures being taken by the Government to eliminate all forms of racial discrimination. In this regard, the new amendment of article 19 of the Constitution guarantees equal rights and freedoms for individuals and citizens before the law, regardless of nationality, race, sex, origin, property and official status, place of residence, language, religious preference, political convictions or political party affiliation.

36. Additionally, article 7 of the labour code of Turkmenistan, which entered into force on 1 July 2009, prohibits the limitation of labour rights or benefits on the grounds of, inter alia, nationality, race, sex, origin, property and official status, place of residence, language, age, religious preference, political convictions or membership in a political party.

B. United Nations bodies

International Labour Organization

37. In its contribution, the International Labour Organization (ILO) referred to its submission to the Durban Review Conference, in which it summarized its activities to combat racial discrimination. The main thrust of the ILO Decent Work Agenda is to promote access to decent work for all without discrimination. The promotion of the ratification and effective implementation of ILO conventions addressing equality and non-discrimination at work, including the 1998 Declaration on Fundamental Principles and Rights at Work, is at the heart of the action undertaken by ILO to promote the implementation of the Durban Declaration and Programme of Action. The ILO Declaration on Social Justice for a Fair Globalization of 2008 provides a strong institutional platform to deepen the implementation of the Decent Work Agenda at the national and international levels.

38. ILO supervisory bodies have continued to examine the implementation of relevant ILO conventions by ratifying countries and have issued comments and recommendations in order to ensure progress in the elimination of discrimination.

39. ILO also drew attention to the most recent report of the Committee of Experts on the Application of Conventions and Recommendations, which addressed issues relating to racial discrimination in the context of the ILO conventions relating to discrimination in employment and occupation (Convention No. 111), indigenous and tribal peoples (Conventions Nos. 107 and 169), as well as migrant workers (Conventions Nos. 97 and 143). In June 2009, the Committee on the Application of Standards of the International Labour Conference discussed the application of these conventions in respect of several countries.

40. During the Durban Review Conference, ILO organized a side event entitled "Combating Racism in the World of Work", which focused on the role of the Decent Work Agenda in combating racism and racial discrimination.

United Nations Children's Fund

41. The United Nations Children's Fund (UNICEF) noted that, as part of efforts to fulfil its overall mandate, it has reoriented its programming at the global and national levels to emphasize the use of the human rights-based approach to programming. In this regard, it reported progress by the UNICEF country office in Romania in supporting social inclusion and reducing disparities and discrimination among children during 2008.

42. In 2008, in Mexico, a major mapping exercise was undertaken to identify, document and assess the availability, quality and level of disaggregation of data on more than 130 child indicators. The results of this exercise will contribute to future strategies and processes for monitoring the situation of children's rights as well as programming in accordance with the principles and guidelines of the human rights-based approach to programming.

43. Advocacy by UNICEF in Colombia led to the positioning of education as a central element in the protective environment for children's rights and the subject of increased attention from Government and the private sector.

44. In the North Caucasus region, UNICEF is implementing a peace and tolerance promotion programme, utilizing a newly developed training manual for children between the ages of 12 and 15 years. The manual was developed with the active involvement of children and teachers. Pilot training was conducted in 180 schools, reaching more than 100,000 children and 600 teachers. One hundred twenty schools integrated the manual into their curricula.

45. In Guatemala, UNICEF completed a study on the situation of adolescent indigenous girls at risk of multiple forms of discrimination. In Gabon, it developed a strategy to advocate changes in national social policies to integrate indigenous pygmies in protection, survival and development programmes. Similarly, in the Bolivarian Republic of Venezuela, UNICEF is supporting changes in the implementation of the education system that incorporate values of non-discrimination for indigenous and Afro-descendant peoples.

46. UNICEF also addresses discrimination, racism and xenophobia in the area of migration in countries of transit and destination. In South Africa, it is collaborating with the United Nations country team and local authorities to address racism, xenophobia and other forms of related intolerance directed against migrants, in particular migrant children and adolescents.

47. The Regional Office for South Asia focuses on social exclusion among other priorities based on a strategy that includes the development of a specific social policy course with an emphasis on social exclusion.

Office of the United Nations High Commissioner for Refugees

48. In its submission, the Office of the United Nations High Commissioner for Refugees (UNHCR) reported that it contributes to the debate and efforts to combat discrimination, racism and xenophobia from the particular perspective of its mandates in order to provide international protection to refugees, to assist Governments in finding durable solutions and to prevent and reduce statelessness and protect stateless persons. UNHCR noted that racism and xenophobia are relevant to its work in the following respects: (a) as a major root cause of

displacement, (b) as an obstacle for asylum-seekers and protection against refoulement, (c) as an obstacle to attain or retain a nationality, (d) as an obstacle to equal access, and (e) as an obstacle to finding durable solutions. Noting the international platform that the Durban Declaration and Platform for Action provides for fighting racism, racial discrimination, xenophobia and related intolerance, UNHCR also reported that, since 2001, it has more systematically incorporated anti-xenophobia efforts into its operations.

49. UNHCR contributed to the preparatory process of the Durban Review Conference through submitting inputs to the questionnaire prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) pursuant to decision PC.1/10 of the Preparatory Committee of the Durban Review Conference. The UNHCR submission highlighted the impact of contemporary forms of racism, xenophobia and related intolerance on people of concern as well as on its work. UNHCR in Latin America also contributed to the Regional Conference for Latin America and the Caribbean, preparatory to the Durban Review Conference, which took place from 17 to 19 June 2008 in Brasilia. During the Durban Review Conference, the United Nations High Commissioner for Refugees delivered a statement at the high-level segment. UNHCR, alongside OHCHR, the International Organization for Migration (IOM), and ILO, co-organized a side-event entitled "Migration, Discrimination and Economic, Social and Cultural Rights". UNHCR was also represented at the expert panel of the side-event organized by OHCHR and the Joint United Nations Programme on HIV/AIDS (UNAIDS) entitled "HIV-related Discrimination: Travel restrictions on the entry, stay and residence of people living with HIV".

C. Regional and other intergovernmental organizations

European Commission against Racism and Intolerance

50. The European Commission against Racism and Intolerance draws attention to the different forms of racism in Europe today while underlining the need to develop specific but interrelated and mutually reinforcing measures to address them. The fight against terrorism has, in some cases, resulted in discriminatory practices against some minority groups as well as increased levels of racial prejudice. It expressed concern about racial profiling by the police in Europe and referred to its General Policy Recommendation No. 8 of March 2004 on combating racism while fighting terrorism, which focuses on measures to be taken to ensure that the fight against terrorism does not violate the prohibition of discrimination. The Commission also dealt with racial profiling in its General Policy Recommendation No. 11, adopted in June 2007, on combating racial discrimination and racism in policing. In its 2008 report, the Commission advocated strengthening legal protection, public information and training campaigns as important bulwarks against racism. It urged the establishment of specialized national bodies to combat racism. The Commission also reported that migrants, refugees and asylum-seekers are particularly exposed to negative opinion and urged politicians and the media to refrain from fuelling xenophobic feelings, especially in light of the current financial and economic crisis. The Commission urged the criminalization of public incitement to violence and hatred or discrimination, public insults and defamation or threats, exhorted the European States to act against the use of the Internet for racist,

xenophobic purposes and encouraged the use of specific measures to address racism and racial discrimination in schools.

European Union Agency for Fundamental Rights

51. The European Union Agency for Fundamental Rights, in its annual report for 2009, noted that lack of awareness, poor data collection and gaps in legal protection hampered the implementation of effective policies against discrimination. It called for better official data to help raise awareness of how to report discrimination and encouraged effective crime prevention initiatives in Member States. It also urged Member States to close the gaps in legal protection, raise awareness of available legal instruments and target specific groups at the risk of discrimination.

D. National human rights institutions and other independent national bodies

Human Rights Defenders Office: Armenia

52. The Human Rights Defenders Office of Armenia noted that discrimination against vulnerable groups can be overcome through the greater involvement of those groups in the formulation and implementation of public policy on related issues. Noting that a coherent policy of positive measures by the State is indispensable for fighting against racism, racial discrimination, xenophobia and related intolerance, it therefore recommended a set of recommendations based on the best practices in the field of prevention of indirect discrimination through affirmative action, specific benchmarks and actions as a first step to standard setting by the General Assembly. The recommendations should be specific, providing for particular positive measures to be taken by the State in different fields of public life, and should allow for a follow-up procedure through the Special Rapporteur of the Human Rights Council on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

Office of the Ombudsman: Peru

53. The Office of the Ombudsman noted that discrimination is prohibited and punishable under the constitutional, criminal and administrative laws of Peru. Addressing discrimination entails dealing with the fabric of social relations, which is often based on prejudices and stereotypes. The Office of the Ombudsman has a constitutional mandate to hear cases of discrimination and to recommend remedial measures by respective authorities, which may include cessation of discrimination, the conduct of investigations to clarify the allegations and, if necessary, the imposition of penalties. In April 2009, the Office of the Ombudsman published a report of related cases, which it processed in 2007 and 2008, and analysed the performance of Government institutions responsible for dealing with discrimination. During the same period, the Office dealt with 149 cases of discrimination covering various areas, including HIV status, gender, race and ethnicity, disability, origin, age, religion, sexual orientation and physical appearance.

Commission for Human Rights and Good Governance: United Republic of Tanzania

54. The Commission for Human Rights and Good Governance was established under article 129 of the Constitution of the United Republic of Tanzania and by Act No. 7 of 2001 of the Parliament. The Commission has a broad mandate to promote and protect human rights and good governance, including oversight functions over Government entities and individuals. The Commission works to encourage the ratification of international instruments and to enhance the national framework for combating racism and racial discrimination. In 2007, it signed a memorandum of understanding with NGOs in order to enhance civil society participation in human rights monitoring and worked with the educational authorities to include human rights education in the school curriculum. In the coming years, the Commission will enhance its human rights awareness activities, increase the scope of monitoring and reporting on racial discrimination, establish a focal point as main interlocutor with the Anti-Discrimination Unit of OHCHR and work towards the development of a national plan of action on racism and racial discrimination.

Office of the Ombudsman: Ukraine

55. The Office of the Ombudsman in Ukraine reported that its monitoring indicates an alarming upsurge in crimes of a racial and xenophobic nature. It noted that for the period between 2004 and 2009, the Commissioner for Human Rights of the Ukrainian Parliament received complaints from about 700 persons, of which approximately 250 were foreigners. The annual and special reports on protection of human rights of the Commissioner repeatedly underline the need to improve the national anti-discrimination legislation and undertake necessary preventive measures against racism, racial discrimination, xenophobia and related intolerance. In April 2009, with the encouragement of the Ombudsman, the Odessa City Council adopted a resolution to join the European Coalition of Cities against Racism. In May 2009, the Ombudsman acted as a moderator of the round table organized in Ukraine by the European Commission against Racism and Intolerance.

56. On the International Human Rights Day in 2008, the special report of the Ombudsman on the situation of implementation of international human rights norms in Ukraine was presented to the Verkhovna Rada of Ukraine.

E. Non-governmental organizations

Forum Menschenrechte

57. The submission from Forum Menschenrechte, an association of more than 50 German human rights NGOs, endorsed the emphasis in General Assembly resolution 63/242 on the following subject matters: attempts to establish hierarchies among emerging and resurgent forms of racism (para. 3); discriminatory measures taken in the struggle against terrorism (para. 4); aggravating factors for the purposes of sentencing for racist motivations (para. 8); and the revision of immigration laws, policies and practices (para. 9). It also supported the emphasis on strengthening existing international mechanisms for fighting racism, especially the International Convention on All Forms of Racial Discrimination and the Committee on the Elimination of Racial Discrimination, the Durban follow-up mechanisms, the review conference of 2009 and the special mechanisms of the Human Rights Council. The

NGO also noted that many Member States still adopt a weakened definition of racism, contrary to the wider definition used in the international instruments and practice. The Forum recommended stronger emphasis in the international arena on addressing issues of institutional racial discrimination in the treatment of non-nationals and migrants and racial profiling by law enforcement agencies. The Forum also noted its concern about the quality of standard setting at the national level, where emphasis is often placed on compliance with international obligations rather than the achievement of a clear objective. As a result, it provides loopholes for continuing discrimination. The Forum's submission also emphasized the importance of involving civil society groups in the development of national action plans as well as an effective quality control mechanism to ensure that such plans meet established international standards.

Human Rights First

58. In its submission, Human Rights First recommended concrete measures to combat racist violence and other violent hate crimes motivated by discrimination based on race, religion, ethnicity, sexual orientation, gender identity or disability. With specific reference to the implementation of General Assembly resolution 63/242, it urged Member States to: acknowledge and condemn violent hate crimes whenever they occur; enact laws that expressly address hate crimes; strengthen enforcement and prosecute offenders; provide adequate instructions and resources to law enforcement bodies; undertake parliamentary, inter-agency or other special inquiries into the problem of hate crimes; monitor and report on hate crimes; create and strengthen anti-discrimination bodies; reach out to community groups; speak out against official intolerance and bigotry; and encourage international cooperation on hate crimes. In respect to incitement, it recommended that all discussions regarding the issue of incitement to religious hatred and/or defamation of religions should be discussed jointly in the context of freedom of expression, which is a key principle of international law. It urged the Secretariat to find creative mechanisms to unite States of the Human Rights Council on an anti-racism agenda.

Cercle de Recherche sur les Droits et les Devoirs de la Personne Humaine

59. In its submission, the Cercle de Recherche sur les Droits et les Devoirs de la Personne Humaine reiterated the position expressed by its President during the Durban Review Conference about the elaboration of a code of conduct on the exercise of freedom of expression, assembly and association. This will provide precision on the application of article 19(3) of the International Covenant on Civil and Political Rights.

III. Update on activities

60. Below is a summary of various developments which have taken place since the submission of the last report (A/63/366) concerning the implementation of the Durban Declaration and Programme of Action and the organization of the Durban Review Conference.

61. The previous report concluded with the first substantive session of the Preparatory Committee for the Durban Review Conference, which took place in Geneva from 21 April to 2 May 2008. During that session, the Preparatory

Committee by its decision PC.2/4 of 22 April, decided to establish an inter-sessional open-ended intergovernmental working group to follow up the work of the Preparatory Committee. The working group was specifically tasked to follow up the work of the Preparatory Committee, including through reviewing contributions and commencing negotiations on the draft outcome document, and to report thereon to the Preparatory Committee. The working group held five plenary sessions at its two sessions. Its first session was held from 26 to 28 May, and the second from 5 to 29 September. It submitted its recommendations of 17 October 2008 (A/CONF.211/PC.3/2), including certain indicative elements in relation to the outcome document and proposals with regard to the modalities of negotiations on the draft outcome document to the second substantive session of the Preparatory Committee.

62. The second substantive session of the Preparatory Committee for the Durban Review Conference was held from 6 to 17 October 2008. During that session, the Preparatory Committee decided, inter alia, to begin negotiations on and drafting of the outcome document on the basis of the working document entitled "Indicative elements in relation to the outcome document" submitted by the inter-sessional open-ended intergovernmental working group, without prejudice to other additional proposals. It also decided to invite the United Nations High Commissioner for Human Rights to make a contribution to the Durban Review Conference on the implementation of the Durban Declaration and Programme of Action and proposals to enhance its implementation. The Preparatory Committee also decided to establish an inter-sessional open-ended intergovernmental working group to continue and finalize the process of negotiation on and drafting of the outcome document.

63. The intergovernmental working group met for the first time on 27 November 2008 and held its first session from 19 to 23 January 2009. From 16 until 19 February and on 26 February 2009 it held informal open-ended consultations. Its second and concluding session, held from 6 to 9 April 2009, concluded with the adoption of its report containing the draft outcome document of the Durban Review Conference as negotiated and drafted by the working group (A/CONF.211/PC.4/2, annex I).

64. The third and concluding substantive session of the Preparatory Committee for the Durban Review Conference, held from 15 to 17 April 2009, concluded with the adoption of a draft outcome for the Durban Review Conference.

65. The Durban Review Conference which took place in Geneva from 20 to 24 April 2009, is reported on below.

66. Shortly after the Durban Review Conference, the Human Rights Council's Universal Periodic Review Working Group held its fifth session (4-15 May 2009). References to the spirit of the Durban Review Conference were made in recommendations listed in the Working Group's reports on Vanuatu (A/HRC/WG.6/5/L.13) and Yemen (A/HRC/WG.6/5/L.12). In the Group's report on Uruguay, the country's contribution to the Review Conference was noted and it was recommended, in this regard, that the Government continue efforts to implement the outcome document of the Review Conference both at national and international level (A/HRC/WG.6/5/L.11). In the report on New Zealand, several countries recommended that the Government endorse the outcome document of the Durban Review Conference (A/HRC/WG.6/5/L.7).

A. United Nations human rights mechanisms, treaty bodies and others

Special procedures mandate holders

67. Several special procedures mandate holders participated in the Durban review process. The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance participated at the Africa Regional Preparatory Meeting for the Durban Review Conference, held in Abuja from 24 to 25 August 2008. The Special Rapporteur on the freedom of religion or belief, in her capacity as Chairperson of the Coordinating Committee of Special Procedures, and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance addressed the Preparatory Committee for the Durban Review Conference at its second substantive session on 6 October 2008. The Chairperson of the Coordinating Committee of Special Procedures and several other mandate holders addressed the plenary of the Durban Review Conference.

68. A number of special procedures mandate holders participated in several side-events organized by OHCHR during the Review Conference. The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Special Rapporteur on freedom of religion or belief, and the Special Rapporteur on the promotion and protection of freedom of opinion and expression participated in the side event on freedom of expression and incitement to racial and religious hatred on 23 April 2009 and issued a joint statement on that occasion.

69. The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance participated in a high-level panel to celebrate the International Day for the Elimination of Racial Discrimination on 19 March 2009.

70. From 2 to 3 October 2008, the Special Rapporteur on the promotion and protection of freedom of opinion and expression and the Special Rapporteur on freedom of religion or belief also participated in an expert seminar organized by OHCHR in Geneva on freedom of expression and advocacy of religious hatred that constitutes incitement to discrimination, hostility and violence (A/HRC/10/31/Add.3).

Committee on the Elimination of Racial Discrimination

71. During its seventy-fourth session, held in Geneva from 16 February until 6 March 2009, the Committee on the Elimination of Racial Discrimination adopted concluding observations and recommendations on nine periodic reports of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination, after having held a dialogue with delegations from the Governments of each State. The Committee followed up on the implementation of its relevant recommendations through continuing correspondence with the respective States parties and encouraged reporting efforts by States parties whose initial or periodic reports were seriously overdue. The Committee reminded each State party with which it held a dialogue on the implementation of the Convention to continue to take into account the relevant parts of the Durban Declaration and Programme of Action in its implementation efforts and to include in its next periodic report information on national action plans or other measures taken in this regard.

72. Under its early warning and urgent action procedure, the Committee considered a number of situations relating to patterns of discrimination on grounds of ethnicity, indigenous rights and discrimination against Roma, as well as legislative developments with a potential to undermine rights enshrined in the Convention. The Committee also continued its thematic discussions on the subject of special measures, within the meaning of articles 1 (4) and 2 (2) of the Convention, and advanced its work aimed at the elaboration of a general recommendation on the subject, which will be its general recommendation No. 32.

73. Members of the Committee on the Elimination of Racial Discrimination actively participated in the Durban Review Conference, including holding a side event entitled "Combating racial discrimination: the central role of CERD".

Durban mechanisms

74. The Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action held its sixth session in two parts, the first on 21 January 2008 and from 28 January to 1 February 2008 and the second on 18 December 2008. The session concluded with the adoption of a compilation of conclusions and recommendations adopted by the working group, which constituted its contribution to the Preparatory Committee for the Durban Review Conference (A/HRC/10/87).

75. The Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination held the second part of its first session from 15 to 19 December 2008. The session concluded with the adoption of a road map for the elaboration of complementary international standards (A/HRC/10/88). According to the road map, Member States were required to provide their inputs in the form of action points to the chair/rapporteur, with suggestions on issues they wished the Ad Hoc Committee to address, in order to enable the chair/rapporteur to prepare a document for discussion during the next session in October 2009. On 27 March, the Human Rights Council endorsed the road map for the elaboration of complementary standards in a resolution. Upon the request of the Chair, communicated by a note verbale of 2 April 2009, 15 submissions were received from Member States and groups of States, including the Group of African States, the European Union, the Organization of the Islamic Conference and Argentina, on behalf of some nine States,[1] which the Chairperson compiled in the form of an outcome covering four parts: definition of concepts; action points on the elaboration of complementary standards applicable to victims or situations of racism, racial discrimination, xenophobia and related intolerance, including their contemporary forms and manifestations in general; action points applicable to victims of racism, racial discrimination, xenophobia and related intolerance in specific situations; and contributions not covered in the previous parts. The Chair consulted with Member States on his draft outcome on 10 July 2009. Following further reviews and consideration by the Chairperson, he will finalize the outcome, which is expected to provide the basis for the work of the second session of the Ad Hoc Committee scheduled in October 2009.

[1] The nine States are: Argentina, Brazil, Chile, Iceland, Japan, Mexico, the Republic of Korea, Switzerland and Uruguay.

76. The Working Group of Experts on People of African Descent held its eighth annual session between 12 and 16 January 2009. During its session, the Working Group welcomed four new members and took the opportunity to review its work and methodologies. The Working Group considered whether any of the themes already examined required further analysis or recommendations in order to achieve the desired improvement of the situation of people of African descent. Upon completing the above-mentioned review, the Working Group identified pertinent themes that will be addressed in future sessions as well as several modifications to its method of work. The Working Group formulated its programme of work that will guide its discussions in future sessions as well as other activities in pursuance of its mandate. In keeping with methodologies used so far, during its eighth session the Working Group also analysed a specific theme relevant to the situation of people of African descent: the situation of children of African descent.

77. Between 22 and 26 June 2009, and based upon a standing invitation to special procedures by the Government of Ecuador, the Working Group carried out a country visit to Ecuador. During the visit the experts of the Working Group met with State and Government authorities, civil society representatives, the international community, United Nations agencies and academics. The Working Group also visited three Afro-Ecuadorean communities outside of Quito. The Working Group will present its report on its visit to Ecuador to the Human Rights Council in 2010.

Durban Review Conference

78. The Review Conference took place in Geneva from 20 to 24 April 2009. It concluded with the adoption, by consensus, of an outcome document, enshrining a common aspiration: to defy racism in all its manifestations and work to stamp it out wherever it may occur. The outcome document urged States, inter alia, to prevent manifestations of racism, racial discrimination and xenophobia, especially in relation to migrants, refugees and asylum-seekers. States were also asked to promote greater participation and opportunities for people of African and Asian descent, indigenous peoples and individuals belonging to ethnic, religious or linguistic minorities. The outcome also reaffirmed the centrality of freedom of expression and stressed its compatibility with the prohibition of incitement to hatred, thereby reconciling these two equally fundamental principles of international human rights law.

79. During the Durban Review Conference, OHCHR organized, including in cooperation with other actors such as NGOs, a series of over 40 events and cultural activities to highlight the issues being discussed at the Review Conference. Under themes covering the rights of indigenous peoples, the link between racism and poverty, policing in diverse societies, migration and racism and HIV-related discrimination and racism and sports, the side events enabled a large number of stakeholders to exchange views and share good practices on pertinent issues.

80. OHCHR continued its support for NGO engagement with the Durban Review Conference and its preparatory processes, providing updated information and advice through a series of nine electronic bulletins for NGOs, which were widely disseminated as well as posted on the OHCHR website. Interactive briefings were held on a monthly basis in Geneva prior to the Durban Review Conference, when the OHCHR Coordinator briefed NGOs and responded to their questions.

81. An NGO liaison office, which was set up prior to the Durban Review Conference to respond to the needs and questions of NGOs, facilitated the work of the 1,132 representatives of 315 NGOs who attended the Durban Review Conference. Daily NGO briefings were held, and the High Commissioner for Human Rights addressed NGO representatives on the third day of the Conference. NGOs submitted 30 written statements and 104 NGOs took the floor under item 9. Related NGO documentation was made available on the OHCHR Extranet.

82. A total of 59 NGOs from all geographic regions received OHCHR travel grants to attend the Durban Review Conference. OHCHR carried out an assessment of NGO participation to provide information on future outreach initiatives.

B. Commemoration of the International Day for the Elimination of Racial Discrimination, 21 March

83. A special event is organized annually by OHCHR to commemorate 21 March, the International Day for the Elimination of Racial Discrimination. In 2009, the Office marked the event with a high-level panel discussion on 19 March. The theme of the event was "United against racism: Dignity and justice for all".

84. In the High Commissioner's statement on the occasion of the commemoration of the International Day, she observed that "the massacre in Sharpeville represents a much wider tragedy; we mark its anniversary to remember also the millions of people around the world who are still, today, victims of racism and racial discrimination".

IV. Conclusions

85. The Durban Declaration and Programme of Action adopted in 2001 has provided a platform for the development by States and other actors of programmes, activities and institutions to combat racism, racial discrimination, xenophobia and related intolerance. Efforts to realize constitutional guarantees of equality and prohibition of discrimination at the national level have been complemented by the harmonization of laws and institutional developments at the regional level, which aim at the elimination of racism, racial discrimination, xenophobia and related intolerance.

86. The outcome document of the Durban Review Conference, which was adopted by consensus, creates further impetus for the accelerated implementation by States and other actors of the laudable objectives encapsulated in the Durban Declaration and Programme of Action. Together with the Durban Declaration and Programme of Action, the outcome document provides the most comprehensive framework for addressing racism, racial discrimination, xenophobia and related intolerance.

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Globalization and interdependence: role of the United Nations in promoting development in the context of globalization and interdependence

Globalization and interdependence: role of the United Nations in promoting development in the context of globalization and interdependence

Report of the Secretary-General

Summary

Over the past few decades, globalization has often been identified with opportunities for growth, innovation and business transformation. There were and still remain, however, serious imbalances in the distribution of its benefits, as well as its costs and adverse consequences. The food, fuel and climate change crises, along with the current financial and economic crisis exacerbate these inequities and jeopardize development gains. The poorest and most vulnerable populations of developing countries in particular are bearing the brunt of these crises, leading many to question globalization itself.

The current economic crisis is increasingly being seen as a crisis of globalization, and especially of financial globalization. Commodity prices and trade and investment flows have already declined as a result of the ongoing global financial and economic crisis. If aid flows also decline, the impact will be even more devastating for low-income countries and the poor.

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Nevertheless, the crisis also provides a rare opportunity for the international community to guide the world economy onto a path of sustainable economic growth and recovery by more effectively addressing the problems of food insecurity and climate change. This goal can be achieved through greater multilateralism and the equitable participation of all countries, both developed and developing. At a time when resources are scarce, innovative approaches to financing are needed to address the challenges of poverty reduction and sustainable economic development. These new methods need to be developed in a spirit of partnership, cooperation and solidarity, bearing in mind common interests and the national priorities of each country. As the main institution of inclusive multilateralism, the United Nations can play an important role in facilitating such efforts.

I. Introduction

1. As requested by the General Assembly in its resolution 63/222, the present report addresses the role of the United Nations in poverty reduction and sustainable development, and presents an analysis of this issue in the context of the current global financial and economic crisis. It also provides an overview of the international economic and policy challenges for achieving equitable and inclusive sustained economic growth and sustainable development, and of the role of the United Nations in addressing these issues, as requested by the Assembly in its resolution 63/224.

2. Over the past decade or more globalization has often been associated with opportunities for growth, innovation, and business transformation. Characterized by the integration of economies in terms of not only goods, services and financial flows, but also ideas, information and technology, globalization has created unprecedented benefits, and adverse consequences, for many developing countries. The continuing challenge is to realize its potential benefits while minimizing the considerable risks and vulnerabilities that have been created in its wake. In the context of the current environment, beset by multiple crises (food, energy, climate change and financial), the challenge seems daunting.

3. Critics of globalization argue that it is the cause of the current financial collapse, growing inequality, unsustainable urbanization and development, unfair trade and insecurity. Its proponents, however, say that globalization is the solution to today's crises. In any case, it is clear that the new patterns of interdependence that lie at the core of globalization are here to stay. Some of the key drivers of globalization, trade and investment, have undoubtedly been negatively affected by the crisis. It is reassuring that Governments are developing effective responses and building political consensus at home to implement domestic measures to restore financial stability and stem rising unemployment. However, those who have benefited least from globalization are likely to bear the brunt of the crisis. Therefore, measures are needed to minimize its impact, especially on the most vulnerable. The current economic crisis is increasingly seen as a crisis of financial globalization, with serious repercussions on the recovery and future prosperity of the world economy. The crisis challenges advocates of globalization to show its positive impact on development.

4. The crisis has made it all too clear that globalization of trade and finance calls for global cooperation and well-coordinated regulatory measures. Moreover, unfettered markets and unregulated capital flows are not beneficial to developed countries. But resolving this and other multiple crises and avoiding similar events in the future has implications beyond the realm of banking and financial regulation, and goes to the heart of the question of how to revive and extend multilateralism in a globalizing world. In that regard, the United Nations must play a central role. With this in mind, the United Nations system agreed on a joint initiative in nine key areas: additional financing for the most vulnerable; food security; trade; a green economy initiative; a global jobs pact; social protection floors; humanitarian action, security and social stability; technology and innovation; and monitoring and analysis. This common commitment is designed to assist countries and the global community to confront the crises, accelerate recovery and build a fair and inclusive system of globalization based on sustainable economic, social and environmental development for all. Ultimately, national ownership of such initiatives is critical. It

is only through a strong political will and commitment that the international community can set the global economy on a path of sustainable economic recovery.

5. Section II of the present report highlights the main facets of globalization during the current economic crisis. Section III addresses the main challenges for poverty reduction in the context of the crises, while section IV highlights the need for the international community to shift towards sustainable development as part of efforts to urgently address the current challenges.

II. Globalization during the current economic crisis

6. The global economic crisis is currently placing strains on the global trade and investment system. Trade and international investment did not cause the current crisis and cannot alone bring about economic recovery, but they are crucial for long-term sustainable development.

7. Trade has generated gains for many developing countries and the adverse effects of collapsing trade volumes on growth, employment and social welfare show both its importance and vulnerability in the current crisis. Estimates show that global trade is likely to fall by at least 9 to 10 per cent this year. For developing economies as a whole, and small and low-income developing countries in particular, this could be potentially disastrous as exports account for more than 50 per cent of their gross domestic product (GDP).

8. Developing countries will be disproportionately affected because of falling demand for both their commodities and their finished goods, negative commodity price trends and the inaccessibility and costs of trade financing. Export earnings and Government revenues will likely continue to be depressed in many countries, while remittances from wealthy countries are likely to shrink. Only some of the larger emerging economies may be in a position to insulate themselves from declining trade, owing to the size of their internal markets and their policies on capital accounts and banking regulation, which have thus far kept growth relatively buoyant. Therefore, recent developments put at risk the very benefits that trade has generated as an engine of growth.

9. The situation is further exacerbated by an increase in protectionist measures, which are likely to trigger reactions and risk causing a downward spiral of protectionist retaliation. For example, based on data from the World Trade Organization, the Economic and Social Commission for Asia and the Pacific estimates that a total of 62 trade measures were enacted by its member States between October 2008 and June 2009, of which 42 were restrictive and 20 were liberalizing measures. This trend is visible in both developed and developing countries. The latter are expected to suffer more from any surge in protectionism, because their exports are often particularly sensitive to protectionist actions and they generally lack the necessary safety nets to help those affected. The most recent report of the World Trade Organization on measures taken by its members indicate some further slippages towards more trade-restrictive actions, although more adverse protectionist measures have been contained thus far. Despite continued calls by the world's leading economies to avoid protectionism, there is no clear indication that Governments will unwind or remove recent protectionist measures.

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10. The current rise in protectionism will deepen the crisis, impede global economic recovery and could severely affect future economic growth in developing countries. In addition, a surge in trade protectionism, especially in the form of increased non-tariff barriers, could take a very long time to dismantle and adversely affect world trade for years to come. The current economic crisis calls for globally and regionally coordinated policy responses. Declarations against protectionism have already been made by many countries, yet new protectionist measures continue to be adopted.

11. Thus, the recent commitment of the Group of Eight to conclude the Doha Round by the end of 2010 can be seen as a welcome indication of the growing resistance to protectionism and as a reiteration of the importance of multilaterally agreed trade rules and disciplines. Existing rules already recognize legitimate trade measures and actions; further strengthening those rules and placing development at their centre could be one of the most important collective actions Governments can take. An ambitious, balanced and development-oriented conclusion to the Doha Round ensures that the global trading system will remain open to support the development efforts of all countries. Agreement on a truly developmental Doha Round can help safeguard the multilateral trading system against protectionist impulses.

12. The effects of the crisis on the availability of liquidity and the subsequent supply of trade credit are well known. Banks and other credit providers are unable to supply sufficient credit at affordable rates that traders need. Many developing and least developed economies need aid for trade in order to remain competitive and to use trade as a tool for poverty reduction. More importantly, predictable, sustainable and non-debt-creating financing is needed. Since 2005, aid for trade has grown by 10 per cent a year, bringing total new commitments to more than $25 billion in 2007. Non-concessional aid from international financial institutions adds another $27 billion, more than doubling the 2007 figure. Recipients of aid for trade have clearly indicated that it is one of the most important multilateral instruments for helping developing countries to weather the crisis and emerge in a better position to take full advantage of trading opportunities.

13. There is, therefore, a clear need to build upon the progress made in aid for trade. In addition, despite current conditions, the international community should deliver on its commitments to increase technical, financial and political support for aid for trade and the enhanced integrated framework for least developed countries to help strengthen the trading and production capacities of developing countries. With aid for trade and a truly developmental Doha Round, the international community can count on having two effective, global tools to combat the negative effects of the crisis. Both stem from mutual interests and cooperation and provide a further opportunity to reinvigorate multilateral cooperation.

14. A rapid reversal of capital flows, together with the rising costs of borrowing and asset price deflation, has already struck some emerging markets, particularly those still holding large stocks of external debt, and is driving some to borrow again from international financial institutions. The United Nations Conference on Trade and Development (UNCTAD) estimates that the global economic turmoil has put an end to a four-year growth cycle in international investment flows: recent data show that foreign direct investment inflows fell by 54 per cent in the first quarter of 2009.

15. Moreover, the flow of worker remittances, an increasingly important source of foreign exchange for some countries, is expected to decline as employment prospects falter in the more advanced economies. Newly available data show that remittance flows to developing countries reached $328 billion in 2008. The World Bank estimates that remittance flows to developing countries could decline by 7 to 10 per cent in 2009, with a possible recovery in 2010 and 2011.[1] Remittances are relatively resilient, however, while new migration flows have declined, the number of migrants living overseas has been relatively unaffected by the crisis. Moreover, migrants tend to remit more funds to support the families they leave behind in times of hardship. In other words, remittances generally have been found to be countercyclical, for example during the Asian crises in 1997 and 1998. But when migrants themselves lose their jobs in a global recession, remittances cannot be expected to play quite the same countercyclical role. Furthermore, there is a risk that aid commitments to the poorest countries will be curtailed in the wake of the slowdown and the consequent fiscal responses in donor countries. This would be devastating for most developing countries, in particular the least developed countries, landlocked developing countries and small island developing States.

16. Warning signs of the limits to globalization's developmental impact were evident even before the breakdown in credit flows and liquidity following the outbreak of the current crisis. Due attention should be paid to two key deficiencies of globalization in its current form: the inequitable distribution of its benefits and the lack of effective global governance. While its benefits have no doubt accrued to the few rather than to the vast majority, globalization, if better managed, may benefit the majority of the world's population and eradicate poverty. The crisis does not negate the potential benefits of globalization itself; rather, it presents the international community with an opportunity to orient the world towards a globally integrated economy that operates in a more equitable and resilient manner. This objective can be accomplished through greater multilateralism and cooperation among all countries.

III. Poverty reduction in the context of crises

17. The social effects of the crisis, which are already disturbing, could worsen. With falling capital flows and declining trade, the negative impact on growth could reverse the progress made thus far, especially in developing countries. If urgent action is not taken, this situation could become devastating for the most vulnerable and voiceless, and lead to growing social insecurity and the displacement of people. The timely achievement of the Millennium Development Goals is at stake. In this regard, it is crucial that efforts be focused on ensuring productive and decent work for all and universal social protection against economic insecurity and vulnerability, especially among the poorest and the most vulnerable, and on overcoming challenges to food security and strengthening agriculture devoted to food production.

[1] World Bank, Development Prospects Group, Migration and Remittances Team, *Migration and Development Brief 10* (July 2009).

A. Full and productive employment and decent work for all

18. Paid employment may be the best route out of poverty. Yet employment is quickly becoming one of the main casualties of the crisis, given the global slowdown in investment, production, trade and other employment-intensive sectors, such as tourism. Faltering employment is becoming a major channel through which the crisis is being transmitted to households. Unemployment has risen rapidly since 2008 and is expected to worsen in 2009 and 2010. According to initial projections, some 50 million people will lose their jobs over the next two years, but as the situation continues to deteriorate, this number could easily double.[2] Moreover, the current crisis is expected to have a more negative impact on unemployment rates for women than on those for men in most regions of the world, particularly in Latin America and the Caribbean.[3]

19. The recent turmoil has presented a new set of challenges to most regions of the world by making it increasingly difficult to achieve progress towards more sustainable and socially equitable growth and decent work for all. Government spending is the most effective way to boost employment, production and aggregate demand in times of crisis. Some Governments have already begun to implement countercyclical fiscal measures, in the form of fiscal stimulus packages, which should be sufficiently large, targeted, sustained and coordinated. For instance, Government investment should: (a) first be targeted at employment-intensive areas, including infrastructure and services projects; and (b) actively support the integration of the jobless into the labour market through employment subsidies, job search assistance and training. Countries with less capacity, however, face more constraints in adopting countercyclical measures. Most developing countries have less fiscal space and as a result, external assistance becomes especially crucial for them.

20. The promotion of small and medium-sized enterprises in both developed and developing countries can help to generate employment and boost wealth creation. In addition to being a major driver of economic growth and job creation, a diversified range of such enterprises can build resilience in communities and economies through their ability to respond rapidly to changing opportunities in local, regional and global markets. Financial institutions must be encouraged and supported in efforts to refocus their lending to entrepreneurs on new productive and innovative undertakings, in particular through small and medium-sized enterprises. Coordinated global policy options are needed to strengthen national and international efforts to create jobs and ensure sustainable enterprises and quality public services. Global coordination can be attained through the United Nations Global Jobs Pact, which includes the Decent Work Agenda of the International Labour Organization (ILO).

B. Protecting the poorest and the most vulnerable

21. Markets cannot exclusively be relied on to provide livelihood security. The insecurities generated by global competition, outsourcing, labour casualization, weakened job protection and recurring financial crises have given rise to strong

[2] United Nations, *World Economic Situation and Prospects 2009: update as of mid-2009*.

[3] International Labour Organization, *Global Employment Trends for Women* (March 2009).

demands for State support for universal social protection. Social safety nets and social protection systems must complement active efforts to create productive and gainful employment. In times of recession, Governments often reduce spending on social services, in particular in the health and education sectors, which not only curbs progress towards achieving the Millennium Development Goals, but also plants the seeds of poverty for future generations, particularly if spending on child priorities is reduced.

22. Universal social protection schemes are increasingly viewed as an investment in human resources with the potential to promote growth and improve long-term poverty reduction rather than as a set of expensive, targeted interventions that create dependency. Evidence has shown that such measures can reduce economic insecurity and vulnerability, enhance household capacity to acquire food, improve child nutrition, use health services and keep children in school. The current crisis, as well as the recent food and energy crises, highlight the need to develop universal social protection schemes to enable the poor and the vulnerable to better weather macro- and micro-level shocks.

23. Most developing countries do not have social protection systems in place, however. Recent research surveying 144 developing countries showed that 19 of 49 low-income countries and 49 of 95 middle-income countries do not have established social safety net programmes, and only about one third of all countries surveyed had some form of cash transfer programme. The scarcity of well-designed basic social security packages for workers in the developing world is of particular concern, as some structures in the public sector are extremely weak.

24. In this regard, the international community could, for instance, promote and support the development of a social protection floor to protect people during and after crises. A social protection floor could consist of two main elements:

(a) *Essential services* to ensure the availability and continuity of public services (such as water and sanitation, health care, education and family-focused social support), and access to such services; and

(b) *Social transfers* to establish a basic set of essential social transfers, in cash and in kind, for the poor and the vulnerable, to enhance food security and nutrition and provide nutritional support for pregnant and lactating women; public food distribution systems for the poor and the vulnerable; subsidies for the types of grains and bread consumed by low-income populations; fee waivers; food-for-work programmes; and the provision of minimum income security and access to essential services, including education and health care.

25. At the country level, efforts to establish a social protection floor may also require the development of policies, based on key principles such as non-discrimination, gender equity and public participation, to uphold and protect the rights of those likely to be affected.

26. Social safety nets must ensure coverage for the most vulnerable groups, such as poor populations living in remote areas, migrants, workers in the informal economy, the working poor, children, women, youth and the elderly. During previous financial crises, declining Government spending on education and health care transferred the burden of service provision to households and communities, thus adding to the already heavy demands being made on women. Policy responses, therefore, must be focused on protecting women and girls in particular. Similarly,

children in general should also be given due attention. Evidence from previous crises shows that child mortality rates rose, school enrolment dropped and children were forced into dangerous work environments. Also, reductions in health care and education caused children and their families to fall into poverty. By maintaining critical services for children and focusing on the nutritional security of poor families, countries can limit the damage wrought by the current crisis and protect their most vulnerable citizens.

27. The impact of the current economic and financial crisis is multidimensional and the capacity of countries to respond differs greatly. Past crises, such as those involving food and fuel, have revealed a serious information gap between the point when vulnerable populations feel the impact of a crisis and when decision makers have access to reliable data to inform the difficult policy choices they must make. In responding to calls for the United Nations to assist in filling this gap, the Secretary-General has brought the United Nations system together to establish a lightly structured and flexible monitoring system, the Global Impact and Vulnerability Alert System, which can track in real time changes in vulnerability across multiple dimensions and help Member States mitigate the consequences of external shocks on their most vulnerable citizens.

C. Overcoming food insecurity and strengthening the agricultural sector

28. Progress made in reducing poverty and hunger in developing countries is being set back. The number of people already suffering from chronic hunger has increased from 850 million in 2006 to around 1 billion in 2009.[4] In many countries, the middle class is being weakened. Vulnerable groups, such as children, women, youth, the elderly, migrants and people with disabilities, are hit the hardest. Yet, the current crisis also provides an opportunity for decision makers to design alternative solutions to overcome world hunger and achieve food security. Since three quarters of the world's poor depend directly or indirectly on agriculture (as small farmers, artisans, small entrepreneurs and rural workers), special attention should be paid to broad-based rural development. Although world food prices have fallen from their recent record highs, they remain elevated in many developing countries, where there is increasing evidence that the poor are adopting damaging coping strategies, which in turn affect the quality and quantity of food consumed, with attendant increases in malnutrition. Such adverse impacts affect long-term human development and tend to be disproportionately concentrated among women, children and other vulnerable groups.

29. If both the objectives of alleviating poverty and achieving food security are to be attained, policymakers will need firstly to invest heavily in agricultural and rural infrastructures, new irrigation techniques, best practices for land and water utilization and the revitalization of agricultural service institutions. Secondly, they will need to recognize the close linkage between food and fuel markets and policies, in terms of not only the cost of inputs for food production and transport, but also the impact of biofuel policy on the net availability of food. Thirdly, there is a continued need to invest in agriculture and develop sustainable rural livelihoods, which have

[4] Food and Agriculture Organization, *The State of Agricultural Commodity Markets 2009: High food prices and the food crisis – experiences and lessons learned* (Rome, 2009).

been declining in policy importance for decades. Lastly, the long-term challenge of ensuring food security is not only a matter of lowering prices and increasing supply, but also fundamentally linked to the quest to increase purchasing power and reduce poverty.

30. Hence, beyond the immediate objective of providing humanitarian relief in the countries most ill-equipped to weather the present crisis, national policymakers and the international community must critically address the broader and long-term challenge of reducing poverty and hunger. These issues highlight the need for better coordination across global, regional and national development partners. The Secretary-General's High-level Task Force on the Global Food Security Crisis and the Millennium Development Goal Africa Steering Group, for example, have framed a consensus among leading development agencies on the concrete actions needed to achieve food security and the Millennium Development Goals. In particular, the Task Force has set out seven areas for action to ensure food security:

(a) Food assistance, including safety nets;

(b) Nutrition programmes for children, mothers and vulnerable populations, including ready-to-use therapeutic foods, maternal nutrition, exclusive breastfeeding and food fortification;

(c) Social protection systems for vulnerable populations;

(d) Smallholder farmer food productivity, with a primary focus on women farmers, including through measures to increase access to land, credit and agricultural extension services, improve irrigation and rural infrastructure, develop risk-hedging mechanisms and increase agricultural diversification;

(e) Agricultural sector development; infrastructure and trade and tax policies;

(f) Information and management systems;

(g) Advocacy for sufficient, sustained and predictable funding and sustained investments.

31. Under the Comprehensive Framework for Action set up by the High-level Task Force on the Global Food Security Crisis, an estimated additional $25 to $40 billion will have to be invested annually for food and nutrition security, social protection, agricultural and infrastructure development and the improved functioning of food markets. These important investments, combined with improved terms of trade for agricultural products, could provide the necessary incentives and help poor farmers to boost production and supply. For investments in agriculture to be fully realized, the public sector must play the leading role in ensuring the provision of adequate and appropriate agricultural infrastructure, rural credit, research, extension and even marketing services, in exceptional cases. In addition, Governments and the international community must support research and development in agriculture and extension services.

32. Private investment in agriculture requires accompanying public investment. For example, by integrating a fertile region, a public road makes private investments in that region more profitable. However, the growing level of private sector involvement in agricultural research and development in developed nations and the increasingly proprietary and competitive research environment have been driven by

the introduction of intellectual property rights protection for plant varieties and biotechnology products. Further, public-sector research expenditure has dropped considerably in both developed and developing countries, as has external assistance to agriculture, including official development assistance. In addition, a substantial amount of agricultural research and development may become less relevant to the requirements of developing countries and more geared towards the concerns of consumers in developed countries, such as food safety and environmental issues.

33. International research priorities need to be revisited, and participatory approaches to research, involving national, regional and international research institutions, as well as the private sector and farmers themselves, should be implemented. The rules that govern intellectual property may also need to be revised to improve equity, benefit the primary conservators of genetic resources and holders of traditional knowledge and encourage scientists to share their inventions for the public good. Differentiated rules for intellectual property rights may be needed within the World Trade Organization, at least in the short to medium term, to allow developing countries to establish the legal infrastructure needed to implement well-functioning intellectual property rights systems, and to ensure that developing countries have affordable access to new technology.

34. Despite the significant scientific and technological progress made in the ability to increase agricultural productivity, less attention has been paid to some of the unintended social and environmental consequences of the achievements. Successfully meeting development and sustainability goals will require a fundamental shift in science, technology, policies, institutions, capacity development and investment relating to agriculture. Increased attention should be directed to approaches for maintaining and restoring soil fertility and ensuring sustainable production through practices such as low-input, resource-conserving technologies. These technologies minimize the need for high levels of inputs and are socially appropriate approaches to small-scale agriculture. Organic agricultural systems, for example, are making a significant contribution to the reduction of food insecurity and poverty in some areas of Africa, and to improvements in rural livelihoods.[5] There is the potential to accomplish more in this area with enabling policy and institutional support, which calls for a shift of emphasis in research and science budgets, and for the creation of better linkages among scientists, farmers and agricultural training and extension providers.

IV. Sustainable development in the context of crises

35. The interrelated challenges presented by the food, fuel and economic crises are further complicated by the vagaries of climate change. Climate change is expected to exacerbate food insecurity and the fuel crisis, and will most adversely affect the poor. Even as global demand for natural resources continues to rise, climate change will impose new constraints on the availability of water and land, affecting agricultural productivity, fisheries and forestry, as well as the livelihoods of those dependent on them, while adding to upward pressure on food and natural resource prices.

[5] United Nations Environment Programme-United Nations Conference on Trade and Development Capacity-building Task Force on Trade, Environment and Development, *Organic Agriculture and Food Security in Africa*, 2008.

36. Simultaneously, rapid urbanization has resulted in unplanned and unsustainable human settlements with changing lifestyles. Moreover, the global economy has adopted growth patterns that are driving our consumption of materials and energy beyond the limits of what is available on this planet. Many enterprises use more materials and energy than their production processes require. They continue to use obsolete, inefficient technologies and fail to adopt proper environmental management systems. This is especially true of small and medium-sized enterprises and industry in developing countries. These challenges will compromise the ability of developing countries to achieve the Millennium Development Goals.

A. Climate Change

37. Addressing the climate change crisis while being mindful of the need for sustainable development and poverty eradication is crucial. This can be accomplished through the long-term management of economic and natural resources in a more inclusive and sustainable manner. Moreover, large and long-term investments will play a pivotal role in enabling economies at all levels of development to switch to low-emission, high-growth pathways. The current financial crisis provides an opportunity to fundamentally change patterns of economic development, investment and production, and international cooperation. Efforts should be made to identify new, sustainable development trajectories based on low-carbon, clean technologies with a large component of renewable energy sources. A shared vision, based on one of the essential principles of the United Nations Framework Convention on Climate Change — common but differentiated responsibilities and respective capabilities — must be the basis of any outcome reached at the United Nations Climate Change Conference in Copenhagen. Negotiating parties must show a clear and strong commitment to the overall objective of sustainable development and also address equity considerations, such as poverty reduction, and reach convergence in terms of income distribution and per capita emissions. Reaching a deal in Copenhagen will require not only political engagement at the highest level, but also public involvement from around the globe. Public support must be galvanized to ensure effective implementation of the agreed outcomes at all levels. To this end, the Secretary-General has demonstrated strong leadership by mobilizing the United Nations system to create a new global climate change advocacy and communications campaign in the run-up to Copenhagen. Having identified climate change as a defining issue of our time and recognizing the importance of political leadership at the highest level to ensure a fair, balanced and effective climate change agreement in Copenhagen, the Secretary-General has decided to host a Summit on Climate Change for Heads of State and Government on 22 September 2009. By convening this Summit, the Secretary-General expects that world leaders will seek to give political impetus and direction to the climate change negotiations by urging Heads of States and Government to commit to sealing a deal in Copenhagen.

38. Mitigating greenhouse gas emissions will require large and interconnected investments across several sectors, with the aim of halting deforestation and land degradation, retrofitting buildings to make them more energy efficient and redesigning transportation systems; but an alternative integrated strategy for meeting climate change and development goals will require an energy transition.

The ultimate goal of such a transition must be to improve energy efficiency and reduce reliance on fossil fuels, especially oil and coal, and to increase reliance on renewable sources of energy, especially wind and solar power, and advanced (non-food) biofuels.

39. Developed countries have mature economies in which there is adequate (and even excessive) availability of modern energy services. They do not need to a massively expand their energy infrastructure. However, lifestyle changes and sizeable investments will still be needed to turn their energy system away from its current dependence on fossil fuels and towards a complete decarbonization by the end of the century or earlier. Conversely, developing countries, are severely handicapped in terms of their insufficiently modern energy infrastructures and will require sustained large-scale investments in this sector to meet existing demand and promote economic development. Meeting these needs will require a major transformation in their economies and massive technology and financial transfers from developed countries.

40. Progress towards emission reductions has been disappointing, as developed countries have not complied with their mitigation targets, as agreed in the Kyoto Protocol. Developing countries will also need to limit the growth of their emissions in the future. The fact that many developing countries have already started doing so is encouraging. An investment "push" is needed to foster economic growth and obtain domestic resources in developing countries. In order to enhance predictability, funding must not be voluntary but be tied to agreed long-term commitments based on, for example, pro rata mechanisms (such as levied percentages of financial flows and mandatory contributions in relation to GDP). Wider-ranging options, which include taxes on capital flows, international transport, energy use or emissions, or on volumes of transactions in carbon markets, as well as permit-auctioning and other measures can generate considerable additional annual flows in the tens of billions of dollars.

41. Even if policymakers can quickly effect the transition to a low-emissions growth path, the unavoidable consequences of climate change, such as rising global temperatures, will generate serious environmental shocks and stresses through spreading drought conditions, rising sea levels, melting ice sheets and snow cover, and the occurrence of extreme weather events. In the coming decades, these phenomena will threaten and destroy livelihoods around the globe, in particular those of already vulnerable populations, including in developed countries. Adapting to climate change must be the central component of any comprehensive policy response to climate change.

42. The threats posed by climate change are particularly common in rural communities, where more than one third of the world's households will be forced to confront the precariousness of their livelihoods. In this context, it is critical to enable vulnerable people to protect existing livelihood systems, diversify their sources of income, change their livelihood strategies or migrate, if this is the best option. Polices that can support vulnerable populations include: changing consumption patterns and food preparation practices; improving agricultural water management; promoting sustainable livestock management; practising conservation agriculture, applying new technologies and changing planting or sowing schedules; extending support services, particularly to smallholders; improving infrastructure

(such as roads, storage facilities and irrigation networks); and promoting agro-biodiversity.

43. Forests are a source of livelihood for close to 25 per cent of the world population, many of whom are threatened by climate change. Measures to help forests adapt to climate change include facilitating the adaptive capacity of tree species, mainly by maximizing silvicultural genetic variation, and adopting management approaches such as reduced-impact logging. More generally, investments in economic diversification and job creation, as well as improvements to land, soil and water management, will be part of a more integrated strategy.

44. A new, scientifically credible and forward-looking climate agreement would provide certainty and continuity to the carbon markets and send a clear signal that renewable energy will become an increasingly important component of the overall energy mix and a major contributor to the sustainable development agenda, including achieving the poverty-related Millennium Development Goals.

45. Some developing countries have begun to develop alternative policy frameworks through, for example, national adaptation plans. These have focused on climate-proofing infrastructure projects, such as transport and irrigation systems, enhancing disaster monitoring and management and improving land-use planning. However, difficulties in scaling up projects owing to funding and institutional shortcomings, as well as the failure to adopt a broader developmental approach, still need to be overcome. Moreover, achieving lasting success will be contingent on adopting effective development policies that more closely link adaptation to ongoing efforts to remove the existing vulnerabilities and constraints on growth and development.

46. For many developing countries, however, the core of adaptation is still closely tied to the need to diversify their economies and move beyond their reliance on a small number of activities, specifically those in the primary sector, which are sensitive to climatic shocks and changes. The Government of Mozambique, for example, has drawn up ambitious plans for the sustainable development of the coastal region, including infrastructure (transportation, drainage and water supply), land use changes and soft options to manage beach erosion. Such plans, which present unique opportunities for an infusion of massive development projects, need to address climate risks in an integrated manner, across seasonal, inter-annual and multi-decadal time scales.

47. The development of new low-emissions technologies will respond to supply-push (such as targeted cheap credit) and demand-pull (such as a policy-induced price of carbon) factors. The import of such technologies holds out the possibility of more vigorous improvements in energy efficiency, expanded shares of renewable energies, more natural gas and less coal and early deployment of carbon capture and storage. Investment in the sustainable energy market has in some ways defied the global recession, growing by around 5 per cent, from $148 billion in 2007 to around $155 billion globally in 2008. In particular, investment in new energy generation projects (wind, solar, biofuels, etc.) grew by 13 per cent during 2008, to $117 billion. While this increase is welcome, a further scale-up of societal commitments to a more sustainable, low-carbon energy paradigm is essential. Moreover, redirecting fossil fuel subsidies to clean energy sources would boost the transition to low-emissions high growth.

48. Such transformational changes in the energy system require support from research and development, the removal of trade barriers and effective capacity-building. Centres for low-emissions technology innovation could play an important role. The combination of basic research, field trials, business incubator services, venture capital funding, technical advice and support, and policy and market analysis adopted will also be contingent on local conditions and challenges. In some cases, regional initiatives may be the best way to benefit from economies of scale and scope.

49. In the short and medium term, however, mitigating and adapting to climate change increase the cost of development. Perhaps as much as $40 billion may be needed to make existing investments climate-proof, and the figure for ensuring resilience in the face of future developments will be much larger. United Nations Development Programme estimates suggest that this would require $86 billion annually (by 2016) and failure to act quickly on mitigation will only add to that figure. Investment in mitigation to meet stabilization targets will be of a much higher order.

50. Financing these investments will be among the big constraints on the shift to low-emissions economies in most developing countries, particularly where domestic markets for low-emissions technologies are small. Developed countries must provide sufficient, predictable, secure and accessible financing, share technology and build capacity to support and enable the mitigation and adaptation efforts of developing countries.

B. A Global Sustainable New Deal

51. While most attention is focused on climate change, the sustainability of economic growth and development is also threatened by the loss of forests and biodiversity, air and water pollution and degradation. A Global Sustainable New Deal could seek to establish a new public policy agenda aimed at placing countries on a different developmental pathway — one that protects the natural resource base in an equitable manner without compromising job creation and catch-up growth. Such a goal can be achieved only if Governments of rich and poor countries alike come together in collaborative initiatives. Such initiatives could be pursued, in part, by using the resources mobilized through the stimulus packages of developed countries. A reform of the multilateral financial and trading systems will also be needed over the medium term to support a more stable global economy and promote investment-led growth in a low-emissions economy. Over the longer term, that growth will be sustainable only if developing countries are able to mobilize sufficient domestic resources. Developing countries must also be able to acquire new technologies at an affordable price.

52. An investment of 1 per cent of global GDP (approximately $750 billion, or one fourth of the total size of proposed fiscal stimulus packages) over the next two years could provide the critical mass of infrastructure needed to seed a significant greening of the global economy.[6] In major economies, fiscal stimulus packages should give priority to investments in sustainable transport, efficient energy,

[6] United Nations Environment Programme, *Global Green New Deal — A Policy Brief*, March 2009.

renewable energy, afforestation and reforestation, sustainable agriculture and biodiversity protection. It is critical for developing countries to prepare fiscal stimulus packages as well. Investments in basic infrastructure can pave the way for sustainable growth and must be targeted at poor and vulnerable groups and regions. Many less developed countries will have to rely on foreign aid and support, both financial and non-financial (access to technology, for example), to set the stage for the development of sustainable economies.

53. The Green Economy Initiative launched by the United Nations responds to the prevailing development challenges and imbalances in growth strategies by motivating policymakers in all countries to give green investments sufficient space in their countercyclical policies. The three main objectives of the Initiative are to:

(a) Make a major contribution to reviving the world economy, saving and creating jobs and protecting vulnerable groups;

(b) Promote sustainable and inclusive growth and the achievement of the Millennium Development Goals, especially ending extreme poverty by 2015;

(c) Reduce carbon dependency and ecosystem degradation.

54. The Green Economy Initiative will identify the trade-offs between green investments and business-as-usual scenarios, and suggest policy changes to support green investments. In the case of very poor economies, the Initiative will provide the means of understanding how green investments at the lowest economic scale can contribute to poverty reduction and identifying policy changes that can maximize both sustainability and poverty-reduction impacts. A sustainable economy should be accompanied by new skills training targeted at the poor as a means of further stimulating the economic, social and environmental dimensions.

55. In order for the combined challenges of development and climate change to be met, nothing less than a fundamental transformation as regards financial and technological support to developing countries is needed. Such a transformation would involve moving beyond the long-standing promises of such support from developed countries to a full-fledged strategy detailing how they will support the investments that developing countries would have to make to shift quickly to a low-emissions, high-growth path. A new focus on development is needed and the regime and governance mechanisms need to build appropriate linkages and processes around sustainable development at the international level, forged on inherent trust among developed and developing countries to ensure sustainable development.

I. New funding mechanisms

56. The current investments in the global energy system are estimated at some $500 billion per year. The sustainable scenario would require at least double this amount during the coming decades — about $1 trillion per year or $20 trillion by 2030. Financing the various challenges may therefore warrant making more radical changes in the existing international architecture. Some possible measures include:

(a) *A global feed-in tariff regime.* Such a regime could provide guaranteed purchase prices to producers of renewable energy in developing countries over the next two decades;

(b) *A reformed Clean Development Mechanism*. Much attention has focused on reforming the Mechanism in such a way as to replace its project focus with a programmatic and/or policy focus, in the expectation of larger impacts, shorter funding cycles and lower transaction costs;

(c) *Forest-related financing mechanisms*. Several new financing initiatives have been launched to help reduce emissions from deforestation and forest degradation, including the World Bank Forest Carbon Partnership Facility and the United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (UN-REDD Programme).

2. Technology transfer

57. Developing countries will need support in building their own technological capacity so as to ensure that they undergo a smooth transition to a low-emissions economy and maintain competitiveness in an open global economy. The supporting architecture could focus on:

(a) *A climate technology programme*. An operational programme, supported by a Secretariat and various panels of experts, needs to be established, possibly under the auspices of the Conference of the Parties to the United Nations Framework Convention on Climate Change to examine the various dimensions of the technology challenge in developing countries and, where appropriate, to provide technical assistance with respect to, inter alia, energy efficiency in buildings; greening industrial supply chains; deployment and maintenance of renewable energy infrastructure; integrated waste management; water and sanitation; and extension services to promote sustainable agriculture;

(b) *A global research, development and deployment fund*. In the world today, barely $2 per person per year is invested in energy-related research, development and deployment activities. This amount needs to increase substantially to enable the transition towards new and advanced technologies in energy systems;

(c) *A balanced intellectual property regime for technology transfer*. The parties to the United Nations Framework Convention on Climate Change need to agree on the role of intellectual property in technology transfer. The flexibilities available within the framework of the Agreement on Trade-related Aspects of Intellectual Property Rights, such as compulsory licences, exceptions to patent rights, regulating voluntary licences and strict application of patentability criteria, are limited to specific circumstances and are usually more difficult to operationalize in developing countries. Options such as allowing developing countries to exclude critical sectors from patenting, as well as a global technology pool for climate change, merit serious consideration. In addition, modalities for access to publicly funded technologies by developing-country firms need to be explored.

3. Trade

58. As Governments are becoming serious about addressing climate change, the old trade and environment debates on how to distinguish between legitimate environmental and health protection measures as allowed under the rules of the World Trade Organization and disguised trade protectionism measures need to be revived. Because subsidies are and will continue to be used to support the

development of alternative energies, the issue of determining how to handle those subsidies and which ones are non-actionable under the rules of the World Trade Organization will also have to be addressed.

V. Recommendations

59. **The current crisis is affecting all countries, both developed and developing, and has a serious and disproportionate impact on the poorest and most vulnerable. The very drivers of globalization, trade and capital flows, as well as knowledge and technology, have enabled the high rates of growth and development witnessed in many developing countries. For most of them, however, the global economic crisis threatens this progress.**

60. **Globalization must not be rejected, but rather better understood and managed for the benefit of developing countries. Evidence suggests that crises can also provide opportunities to ensure more equitable and sustainable development. This requires (a) global solutions that include developing countries in global decision-making processes, and (b) integrating the social and environmental dimensions into the economic and financial system. These challenges need to be addressed through a more inclusive multilateralism that delivers for developing and developed countries alike, while recognizing the special vulnerability of the poor.**

61. **The United Nations plays an essential role in helping to manage the various ramifications of the crises. It can ensure dialogue and enable a coordinated response based on an inclusive decision-making process. It also has the capacity to provide impartial analysis and pragmatic policy recommendations in this area.**

62. **In its responses to the crisis, the developed world must consider the impact of these responses on developing countries. Developing countries, for their part, need to implement policies that enable them to make their economies more robust. More importantly, countries are the main actors and the international community must offer its unwavering support through:**

(a) **Productive and timely decisions to reduce the asymmetries between developed and developing countries in undertaking necessary countercyclical policies and providing additional social protection;**

(b) **Improved policy coherence at global, regional and national levels is crucial. Stakeholders need to build on the current momentum of intensified multilateral cooperation to promote a fully inclusive framework of global governance;**

(c) **Strengthened capacity of Governments to design, finance and implement the right policies, while coordinating them with international partners. The multilateral system plays a central role in articulating and delivering a global and coherent response to the crisis, and in translating it into action at the country level. At the country level, international organizations should work together to take a joint and complementary approach to the crisis;**

(d) **Strengthened political commitment towards the timely achievement of the Millennium Development Goals through the implementation of the**

proposed joint initiatives by the United Nations system in response to the multiple, interrelated crises;

(e) A global consensus on the need to guard against protectionism and promote trade. A welcome sign of this would be a successful and balanced conclusion to the Doha Round of multilateral trade negotiations that places the needs of developing countries at its centre, and provides for complementary ongoing aid for trade measures;

(f) A successful outcome to the United Nations Climate Change Conference in December 2009 which also promotes the development aspirations of poorer countries;

(g) Enhanced cooperation at all levels to tackle issues surrounding food security, climate change and energy, including access to energy, energy diversification (including the development of renewables) and technology transfers.

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Item 70 of the provisional agenda*
Right of peoples to self-determination

Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly, in accordance with General Assembly resolution 63/164 and Commission on Human Rights resolution 2005/2, the report of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination.

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Report on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

Summary

The Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the rights of peoples to self-determination was established in July 2005 pursuant to Commission on Human Rights resolution 2005/2. It is mandated, inter alia, to monitor mercenaries and mercenary-related activities in all their forms and manifestations in different parts of the world, and to study the effects on the enjoyment of human rights of the activities of private companies offering military assistance, consultancy and security services on the international market.

From April 2009, the Working Group has been headed by its Chairperson-Rapporteur, Shaista Shameem (Fiji), and its members are Najat Al-Hajjaji (Libyan Arab Jamahiriya), Amada Benavides de Pérez (Colombia), José Luis Gómez del Prado (Spain) and Alexander Nikitin (Russian Federation).

The present report is prepared in accordance with paragraph 20 of General Assembly resolution 63/164.

Section I of the report introduces its contents, section II outlines the activities undertaken by the Working Group, including its work on a possible new draft international convention on the regulation of private military and security companies. Section III presents some of the findings and conclusions of the field missions the Working Group conducted in Afghanistan and the United States of America, while section IV summarizes the second regional consultation for Eastern European and Central Asian countries held in October 2008. Section V refers to actions taken by the Working Group under the communications procedures, and section VI addresses the Working Group's future activities. Section VII contains its conclusions and recommendations.

The report contains as an annex, the status of the 1989 International Convention against the Recruitment, Use, Financing and Training of Mercenaries as at 2 July 2009, with 17 signatories and 32 State parties.

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I. Introduction

1. At its sixty-first session, the Commission on Human Rights, by its resolution 2005/2, decided to establish a Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, made up of five independent experts, for an initial period of three years. From April 2009, the Working Group has been headed by its Chairperson-Rapporteur, Shaista Shameem (Fiji), and its members are Najat Al-Hajjaji (Libyan Arab Jamahiriya), Amada Benavides de Pérez (Colombia), José Luis Gómez del Prado (Spain) and Alexander Nikitin (Russian Federation). From April 2008 to the end of March 2009, Alexander Nikitin (Russian Federation) was the Chairperson-Rapporteur of the Working Group.

2. At its tenth session, the Human Rights Council requested the Working Group, in its resolution 10/11, to: (a) consult with intergovernmental, non-governmental organizations, academic institutions and experts on the content and scope of a possible draft convention on private companies offering military assistance, consultancy and other military security-related services on the international market, and an accompanying Model Law, and other legal instruments; (b) share with Member States, through the Office of the United Nations High Commissioner for Human Rights, elements for a possible draft convention on private military and security companies, request their input on the content and scope of such a convention and transmit their replies to the Working Group; (c) report to the fifteenth session of the Human Rights Council on the progress achieved in the elaboration of the draft legal for proper consideration and action. Since the adoption of the new resolution, the Working Group has concentrated its effort on drafting elements of a possible draft convention and consulted with a wide range of non-governmental organizations (NGOs), academic institutions and experts on the content and scope of this possible new legal instrument.

3. For the purposes of the present report, the Working Group refers to private military and security companies as including private companies that perform all types of security assistance, training, intelligence and other consulting services, including unarmed logistical support, armed security guards, and those involved in defensive or offensive military and/or security-type activities, particularly in situations of armed conflict.

4. Pursuant to its mandate, the Working Group has continued to monitor mercenaries, mercenary-related activities in all their forms and manifestations, as well as to study the effects of the activities of private companies offering military assistance, consultancy and security services on the international market on the enjoyment of human rights. The Working Group notes that its mandate and work have steadily evolved in the recent years to reflect the increasing worldwide attention to the growing number of private military and security companies and the wide scope of their activities as well as to the growing concern regarding a lack of transparency and accountability of these companies and their impact on the enjoyment of human rights. Despite limited reports on individual mercenaries fighting in armed conflict for profit and in some cases with the aim of overthrowing a legitimate Government, the Working Group has gathered information over the last few years on situations where private security contractors legally working in a country have been involved as individuals in illegal mercenary activity in another country. The Working Group believes that a new international legal instrument

would help to define those activities that can legally be carried out by private military and security companies according to international law from the activities that should remain essential governmental functions and could not in any circumstances be outsourced.

5. During the period of review, the Working Group held four sessions, including its seventh session, held in New York from 27 to 31 July 2009, undertook visits to Afghanistan and to the United States of America and convened a regional consultation for Eastern European and Central Asian countries on the effects of activities of private military and security companies on the enjoyment of human rights in the region and on the steps taken towards regulation and oversight. The Working Group has also sent letters of allegation to Governments regarding specific incidents and alleged human rights violations.

6. The Working Group noted that the use of private military and security companies worldwide continued to increase gradually over the last year, with up to 80 per cent of all such companies registered in the United Kingdom and the United States.[1] The majority of these companies were operating in Iraq and Afghanistan and were conducting a wide range of activities, from static security to escort of convoys, training and intelligence services.

7. Given the concentration of these companies in a handful of countries of origin/home States (States of nationality of a private military and security company, that is, where such a company is registered or incorporated, namely, the United States and the United Kingdom) or receiving countries/territorial States (States on whose territory these companies operate, namely, Iraq and Afghanistan), some argue that the phenomenon does not represent an international concern and will decline with the gradual withdrawal of the United States and other international troops from Iraq and Afghanistan. The Working Group believes that given the lucrative character of the industry, which operates in armed conflicts, post-conflict situations and troubled areas where extractive transnational corporations function, the phenomenon is likely to increase, diversify and spread to more countries. Following visits to Ecuador in 2006, and Chile, Peru and Fiji in 2007, the Working Group already reported on the recruitment of a large number of independent contractors in these countries by foreign companies contracted by the United States or the United Kingdom Governments and some of the consequences, including the lack of control by the home countries of these contractors as well as often the poor working conditions and lack of protection for these third country nationals.[2] The presence and activities of these companies are also growing rapidly on the African continent where some companies are, among other things, providing training of security forces in some countries. Often, contracts are settled between donor countries and private military and security companies without the possibility for national authorities and civil society being able to participate in the decision-making regarding these contracts and to play their constitutional and legitimate roles in democratic governance of the security sector.[3]

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[1] Geneva Centre for the Democratic Control of Armed Forces, F. Schreier, M. Caparini, *Privatising security: law, practice and governance of private military and security companies*, Occasional Paper No. 6, quoted in A/HRC/10/14/Add.2.

[2] See the Working Group mission reports, available from http://ap.ohchr.org/documents/sdpage_e.aspx?m=152&t=9.

[3] Adedeji Ebo, "Local ownership and emerging trends in SSR; a case study of outsourcing in Liberia", Timothy Donais, editor, in *Local Ownership and Security Sector Reform*, Geneva Centre for the Democratic Control of Armed Forces, 2008.

8. The Working Group is concerned by the growing trend towards privatization of military and security services and its consequences for the public. As suggested by the Human Rights Council in its resolution 7/21, the Working Group recommends a discussion at the international level on the fundamental question of the role of a State as holder of the monopoly of the legitimate use of force, with the objective of facilitating a critical understanding of the responsibilities of the different actors, including private military and security companies, and their respective obligations for the protection and promotion of human rights and in reaching a common understanding as to which additional regulation and controls are needed at the international level. In its work on a possible draft convention on the regulation of private military and security companies, the Working Group is discussing a number of elements of what they consider to be inherently governmental functions that should not under any circumstances be outsourced to non-State entities under a new legally binding instrument. Pursuant to the Human Rights Council resolution 10/11, these elements will be submitted to Member States for their consideration.

9. The Working Group remains concerned at the impact of private military and security companies on the enjoyment of human rights and, in particular, concerning accountability in case of criminal offences and human rights violations as well as access to remedy for victims of these violations. Too often proper investigations of incidents involving these companies are not launched owing to insufficient evidence or to the difficulty of investigating in zones of conflict, and due to the fact that in a situation when a lawsuit is filed, it can take years before victims obtain some form of redress. Some Governments still have special agreements with private military and security companies granting them immunity from prosecution. Situations where armed individuals are not subject to the control or the laws of the State have led to dramatic events and are unacceptable. No one can be immune from prosecution for criminal offences and human rights violations.

10. Proper vetting and background screening of personnel of employees is crucial, as was demonstrated by the recent shooting by a British contractor of colleagues from the same company, ArmorGroup, in Iraq in early August 2009. The contractor was suffering from severe post-traumatic stress and had earlier been dismissed while working in Iraq by the security firm Aegis for "extreme negligence" and was awaiting trial for assault, having already been convicted of three other crimes, including robbery, possession of ammunition and public order offences.[4] The Working Group is also reviewing conditions of employment of third-country nationals employed by private military and security companies, and is disturbed by numerous testimonies of individual contractors, who were not provided with adequate working conditions, protection and insurances and who, in some instances, had their passports and travel documents confiscated, leaving them with no means to return home. Finally, the Working Group deplores the lack of information accessible to the public on the number of private military and security companies operating in conflict or post-conflict zones, including information on the companies, the number and nationality of personnel, casualties, number and types of weapons and vehicles as well as on the activities for which they are contracted. The Working Group calls for further transparency and information on those contracts, within legitimate limitations such as national security and privacy.

[4] "The human timebomb: why was he given Iraq job?", *The Independent*, 14 August 2009.

11. Pursuant to General Assembly resolution 63/164, the Working Group submits its fourth report to the General Assembly, for consideration at its sixty-fourth session.

II. Activities of the Working Group

A. Fourth to seventh sessions of the Working Group

12. At its fourth session, held in New York from 2 to 5 September 2008, the Working Group held discussions with Member States, United Nations departments, including the Department of Peacekeeping Operations, the Office of Legal Affairs and the Office for Disarmament Affairs, representatives of civil society, academics and representatives of private military and security companies. In particular, the fourth session was an occasion to discuss with relevant actors the key principles for a system of international regulation of private military and security companies contracted to Governments.

13. At its fifth session, held in Geneva from 15 to 19 December 2008, the Working Group considered a number of communications and country situations, and met with representatives of the Permanent Missions of Honduras and Ecuador to discuss follow-up to the Working Group's visits to these countries. The Working Group also met with representatives of the Democratic Republic of the Congo to discuss the political and social situation in the eastern part of the country and the presence of militias and private military and security companies. The delegation welcomed the request of the Working Group to conduct a visit to the country. In addition, the Working Group held meetings with United Nations system agencies and organs, the Office of the United Nations High Commissioner for Human Rights (OHCHR), the International Committee of the Red Cross (ICRC), academics, NGOs and an association of private military and security companies.

14. From 30 March to 3 April 2009, the Working Group held its sixth session in Geneva. Ms. Shaista Shameem was elected Chairperson by consensus. In line with the request of the Human Rights Council (resolution 10/11), the Working Group devoted several meetings to discuss elements for a possible draft convention, its scope, content and structure. The Working Group also discussed its workplan regarding the process of consultation on the draft convention with NGOs, academics and experts. The Working Group met with representatives from the Swiss Foreign Affairs Department on the follow-up to the Montreux Document and discussed the Swiss Initiative for an international code of conduct for private military and security companies (see A/HRC/10/14, paras. 42-51). The complementarity of their respective initiatives was underlined and it was agreed to continue working in close cooperation, with the Working Group concentrating its work on a draft international binding legal instrument. The Working Group also met with representatives of the Western Europe and Others Group and briefed them on its mandate and current activities. The Working Group recalled the human rights violations for which private military and security companies have been responsible so far and the lack of accountability and redress for victims in the current system. They also stressed the importance of regular interaction with the Western Europe and Others Group and hoped for increased support for their mandate and activities. The Chairperson of the Western Europe and Others Group recommended that the Working Group brief them

at their next session in Geneva. Finally, the Working Group was briefed on the initiative of the United Nations Inter-Agency Security Management Network to develop a United Nations-wide policy on security and on contracting private security companies. The Working Group welcomes this initiative, which aims at defining the situations and rules regarding the hiring of armed guards as well as the type of personnel that can be recruited following rigorous vetting and training. It is crucial for the United Nations to have clear and transparent system-wide policy, guidelines, and oversight mechanisms on the use of private security contractors.

15. From 27 to 31 July, the Working Group held its seventh session in New York. A significant part of the session was devoted to discussing elements for a possible draft convention, its scope, content and structure. The Chairperson of the Working Group participated as a panellist in a policy forum on the regulation of private military and security companies, organized by the International Peace Academy. The Academy also organized a closed-door workshop for the Working Group with some 30 experts, academics and representatives of NGOs and the industry for the purpose of discussing the elements of a possible draft convention. The preliminary discussion with these experts was valuable and served to fine-tune the Working Group's work in progress on the convention. In addition, the Working Group considered a number of situations and communications and held meetings with United Nations system agencies and departments based at Headquarters in New York. It also received information on the continuing recruitment of mercenaries, including children, in the Great Lakes region of Africa and in West Africa. The Working Group will continue to monitor these allegations and study the causes and the measures taken by the concerned Governments to put an end to these activities.

B. Elaboration of a draft convention

16. With the adoption on 20 March 2009 of a new Human Rights Council resolution, by which the Working Group was requested, inter alia, to (a) consult with intergovernmental, non-governmental organizations, academic institutions and experts on the content and scope of a possible draft Convention on private companies offering military assistance, consultancy and other military security-related services on the international market, and an accompanying Model Law, and other legal instruments; and (b) share with Member States, through the Office of the United Nations High Commissioner for Human Rights, elements for a possible draft convention on private military and security companies, request their input on the content and scope of such convention and transmit their replies to the Working Group, the Working Group concentrated its efforts since March on discussing the content and scope and elaborating a draft of such a convention.

17. In the view of the Working Group, the purpose of the draft convention is to reaffirm and strengthen the principle of State responsibility for the legitimate use of force and to identify those functions which are, under international law, inherently governmental and cannot be outsourced to non-State entities as a matter of public interest. The draft convention also seeks to promote cooperation among States regarding licensing and regulation of the activities of private military and security companies in order to more effectively monitor and address challenges to the full implementation of human rights obligations. The draft convention devises mechanisms to ensure proper national and international oversight and monitoring of

the activities of such companies as well as to investigate reports of abuses and violations of human rights and international humanitarian law.

18. The draft text of the convention was circulated in July 2009 to some 250 experts, academics and NGOs worldwide for comments. On 29 July, the Working Group held a closed workshop with selected experts to discuss the content and scope of the draft convention. The Working Group was pleased to receive positive feedback from the NGOs and academics attending the workshop and responded to many questions and observations on the philosophy, scope and detailed elements of the draft convention. The Working Group is now in the process of consolidating the draft convention on the basis of the comments received orally or in writing and expects to circulate it to Member States in early 2010 for their input.

C. Other activities

19. The Academic Network set up in Bogota in January 2007 to study and monitor the activities of mercenaries and private military and security companies in Latin America continued its activities during the period under review. On 7 and 8 May 2009, a member of the Working Group, together with the Academic Network organized and participated as a keynote speaker in a seminar held in Bogota on the topic "Mercenaries and private military and security companies in Latin America". The seminar gathered a large participation, including members of the Colombian Senate, private military and security companies operating in Colombia, international experts and journalists. On 25 July, the Colombian Academic Network met again at the initiative of a member of the Working Group to discuss the elements of the draft convention on the regulation, oversight and monitoring of private military and security companies. Staff of OHCHR and ICRC in Colombia also attended the meeting as observers. The conclusions and recommendations were presented at the seventh session of the Working Group. Other consultations with academics and NGOs in the Latin American region are envisioned through the Academic Network.

20. The Swiss Government, together with the Geneva Centre for the Democratic Control of Armed Forces, organized a series of events on the self-regulation of private military and security companies, to which the Working Group was associated. A member of the Working Group attended two of the three workshops organized by the Centre in March and April 2009 on the topic "Working towards an international code of conduct for private military and security companies". The first workshop was aimed at the leading international private military and security companies and industry associations, the second gathered representatives of civil society and research institutions, while the third congregated representatives of Governments, regional organizations and the United Nations. The workshops aimed at identifying the elements essential to an effective international code of conduct for the security industry.

21. Two members of the Working Group also participated in a Wilton Park Conference held in Nyon, Switzerland, from 4 to 6 June. The Conference was organized by the Swiss Federal Department of Foreign Affairs, in cooperation with the Geneva Centre for the Democratic Control of Armed Forces and the Geneva Academy of International Humanitarian Law and Human Rights to discuss the initiative to establish a possible international code of conduct for private military

and security companies.[5] It gathered representatives of major private military and security companies, industry associations in the United States, United Kingdom and South Africa, interested Governments, including those that contract such companies, international governmental and non-governmental organizations and other legal and human rights experts to discuss whether and how to codify standards for the operation of all private military and security companies in compliance with human rights and international humanitarian law. The conference also sought to examine how self-commitment by the private military and security industry can be effectively monitored and enforced.

22. The Working Group took an active part in the consultations on a possible international code of conduct for private military and security companies. The Working Group hopes that the views of the Working Group, as well as those of NGOs and experts expressed at the meetings would be fully integrated when setting up the mechanism. The Working Group believes that such an international code of conduct should be accompanied by "an independent and authoritative 'watchdog'", as recommended by some participants, which would be able to offer a trustworthy and effective complaint and redress mechanism for victims.

23. The Working Group welcomes the Swiss Initiative insofar as it represents a first step towards the regulation, oversight and monitoring of the activities of private military and security companies. The Working Group believes, nevertheless, that self-regulation is not sufficient and should be accompanied by national regulations, and an international binding instrument establishing an independent international monitoring mechanism.

24. In addition to regular press releases before and after country visits or Working Group sessions, the Working Group issued a press statement on 29 April 2009, expressing its grave concerns at reports that a group of five persons, including foreigners, were involved in a plot against the Bolivian Government. On 16 April, the Bolivian police launched an operation in the eastern city of Santa Cruz against a group that were allegedly planning assassination attempts against the democratically elected President and other senior officials of the Government. During a police operation, three individuals were killed, while two others were arrested. Communications to the Bolivian Government as well as to the countries of origin of the nationals allegedly involved in the plot were sent to seek further information regarding the incident. The Working Group would like to thank those countries that have replied to its communication. It will continue to monitor closely the situation in the Plurinational State of Bolivia, and calls upon all Governments concerned to provide the Working Group with more detailed information as the investigation into the incident proceeds.

III. Country visits

A. Visit to Afghanistan

25. A delegation of the Working Group, composed of two of its members, visited Afghanistan from 4 to 9 April 2009. Owing to the volatile security situation in the

[5] For a full report of the Wilton Park Conference, see http://www.wiltonpark.org.uk/themes/governance/pastconference.aspx?confref=WP979.

country, the Working Group was only able to visit Kabul and Jalalabad, in the eastern province of Nangarhar. The Working Group considered information on the number and types of private military and security companies operating in the country as well as on the scope and extent of their activities. It focused in particular on the system of regulation of activities of private military and security companies registered in Afghanistan, the requirements for transparency and accountability of these companies and their personnel, and at instances that might have given rise to impunity of contractors for violations of human rights. The Working Group also looked at the issue of access to effective remedies for the victims of violations.

26. The comprehensive report of the mission, including its conclusions and recommendations, will be presented to the Human Rights Council at its fifteenth session. However, the present section provides an overview of its preliminary observations expressed upon the completion of the visit.

27. During the visit, the Working Group met with the Office of the President, Ministries of Foreign Affairs, Justice, Interior and Defence, as well as the chairs and members of the Committee on Legislative Affairs of the Wolesi Jirga, and the Committee on Internal Security, National Security and Local Organs of Power of the Meshrano Jirga. The Group also had the opportunity to meet with representatives of the Afghan Independent Human Rights Commission and heard the views of civil society and representatives of the private military and security companies. Meetings were also held with representatives of the international community, as well as the United Nations Assistance Mission in Afghanistan and specialized agencies. In its visit to Jalalabad, the Working Group met with the Provincial Governor and other local authorities.

28. The Working Group commended the Government of Afghanistan for the enactment of a specific regulation on national and international private security companies operating in the country. Afghanistan is among the few countries where there is specific legislation on the issue. The regulation, which was adopted in February 2008, has led to the licensing of 39 Afghan and foreign companies and the registration of their personnel and weapons. The Working Group was informed that companies which were not licensed through this process had to cease their activities accordingly or would otherwise be considered as illegal armed groups. The Government was not able to confirm whether those companies that had not obtained a licence had indeed ceased their operations in the country or if they were still operating illegally. The Working Group expressed concern at this lack of oversight and adequate sanction for those companies possibly operating illegally in some part of the country.

29. The Working Group met with several international and local NGOs. The vast majority of them stressed that the high presence of armed private guards did not generate a feeling of increased security for the Afghan population and that, to the contrary, the high number of armed individuals, vehicles and weapons created a feeling of fear and insecurity. Most NGOs pointed to the difficulty for Afghan citizens to distinguish between international troops and international or local security contractors. This, they said, complicated the process to report accurately incidents and human rights violations. The Working Group was informed about criminal offences committed by private security contractors but, despite several accounts that human rights violations had occurred, it could not obtain documented and verifiable evidence of those violations. The Working Group would recommend

the setting up of a central mechanism for individuals and private security contractors to report serious incidents involving casualties committed by private security contractors and ensure proper investigation and access for remedy for the victims.

30. During the Working Group's visit to the country, the Ministry of Justice introduced in Parliament a draft law on private security companies. The Working Group did not receive a copy of the law but understands that the language of the new law reflects the wording of the regulation. The Working Group is of the general view that legislation, which would ensure oversight and monitoring by the State of private security companies, as well as their accountability, is a positive development. The law should ensure full protection of human rights and ensure that victims enjoy an effective remedy. The Working Group recommended the speedy adoption of new legislation following a broad consultative process and adequate awareness campaign. The Government should also take all steps necessary to ensure the full implementation of the new law.

31. The Working Group reiterated the fundamental principle of the control of the State over the legitimate use of force. The State should retain control and oversight over the legal use of force, which should not be outsourced to non-State actors without exercising proper control. In that regard, the Working Group welcomed the expressed willingness of the Government of Afghanistan to gradually increase the capacity and training of the State army, police and security forces in order to ensure the safety and security of its population and of the international community present in its territory, while ensuring respect for the rule of law and human rights.

B. Visit to the United States of America

32. The Working Group recently conducted a two-week visit to the United States. The Working Group held meetings in Washington, D.C., with senior Government officials, a member of Congress and senior staff of members of Congress and Committees, academics, experts and representatives of civil society and the private security industry. It also met with several civil society organizations in New York.

33. The purpose of the visit was to obtain direct and first-hand information on the use of private military and security contractors by the United States Government abroad as well as on the governmental policy and legal framework, and the regulatory and oversight system in place to monitor the impact of the activities of private military and security companies on human rights and ensure accountability for human rights violations. In June 2009, some 240,000 private sector employees were supporting United States military operations in Iraq and Afghanistan with additional contractors working for the United States Department of State and the United States Agency for International Development.

34. The tragic events of 16 September 2007 in Nisoor Square in Baghdad, in which employees of Blackwater opened fire, killing 17 and injuring more than 20 civilians, prompted more attention to the need for oversight and accountability of private military and security companies, at both the national and international levels. On 25 September 2007, the Working Group sent an allegation letter to the United States Government on this incident (see A/HRC/10/14/Add.1).

35. The Working Group is pleased that the United States Government has since taken serious corrective actions. It welcomes the recent adoption by the United States authorities of legislation and regulations aimed at strengthening further the oversight and accountability of private military and security companies, such as Section 862 of the National Defense Authorization Act of 28 January 2008 and the Department of Defense "Interim Finale Rule" of 17 July 2009.

36. The most significant development towards the end of impunity for United States security contractors has been undoubtedly the termination of the Coalition Provisional Authority Order 17, which provided immunity to contractors contracted by the United States. The new status of forces agreement, which entered into force on 1 January 2009, provides that "members of the United States Forces and of the civilian component will respect Iraqi laws, customs, traditions and conventions".[6] The Working Group welcomes the adoption of the new status of forces agreement, which has put an end to a situation that should have never been allowed. In carrying out their activities, private military and security companies and their personnel should be obliged to comply with international humanitarian law and human rights law and to abide by relevant national laws. The Working Group was assured by Government officials of the United States that the Government would not contract with companies whose personnel had been convicted of human rights violations or criminal offences.

37. The Working Group presented a list of preliminary recommendations at the end of its visit, including a call for the adoption of a comprehensive legislation for all contractors and civilian employees, including more transparency in contracting with companies by the intelligence agencies; the strengthening of the Department of Justice investigative resource capacity and the appointment of an independent prosecutor for prosecuting cases of human rights violations and criminal offences committed by individuals or companies contracted to the United States Government; the publication of statistical information on cases of human rights violations committed by private military and security companies that are being investigated as well as on the number of private military and security contractors injured or killed while supporting United States operations; the provision of greater transparency and freedom of information on private military and security companies operating under United States contracts; the establishment of a system of federal licensing of private military and security companies and a vetting procedure; the launching by Congress of an investigation into the use of private military and security companies for rendition flights; and, finally, ensuring the right of all victims to an effective remedy and swift access to justice in the appropriate jurisdiction.

38. The comprehensive report of the mission, including its conclusions and recommendations, will be presented to the Human Rights Council at its fifteenth session.

[6] Agreement Between the United States of America and the Republic of Iraq on the Withdrawal of the United States Forces from Iraq and the Organization of Their Activities during Their Temporary Presence in Iraq, art. 3.

C. Follow-up to visits

39. The Working Group held meetings with representatives of the Governments of Honduras and Ecuador in December 2008 and the Government of Peru in April 2009 to discuss the follow-up to the recommendations made in its reports following its visits to these countries.

40. In April 2009, the Foreign and Commonwealth Office of the United Kingdom launched a consultation process on a governmental proposal to introduce a package of measures to improve standards in the private military and security industry in the United Kingdom and worldwide.[7] In its document, the Government explained that it rejected the options of licensing activities or companies on the ground that, among other things, there was no suitable enforcement authority that could effectively investigate violations and that a Government-approved register of companies would be difficult to create, maintain and use effectively. The package of measures recommended by the Government combined a self-regulation initiative through the trade association with an international approach to promote higher global standards. The trade association would take the lead in drafting a code of conduct based on high national standards and would have responsibility to enforce it. The Government would use its leverage as buyer to pressure private military and security companies to adhere to and observe the code. The Government would extend international cooperation by building on the Montreux Document and advocating an extension of the initiative to create internationally agreed standards for companies. The Government would also support the establishment of an effective impartial and transparent complaint mechanism.

41. In its letter dated 15 July 2009 to the Foreign and Commonwealth Office of the United Kingdom, the Working Group welcomed this initiative of the United Kingdom Government geared towards improving standards for private military and security companies. In its report of 19 February 2009 following its visit to the United Kingdom (A/HRC/10/Add.2), the Working Group recommended to the Government to make public the results of the 2005 Review of the United Kingdom Green Paper on the regulation of private military and security companies, or to undertake a new review, and to conduct a comprehensive discussion between the concerned bodies on the options for regulation. The Working Group considers the recent consultation as a positive step in this regard.

42. While the Working Group recognizes that the self-regulatory option through the trade associations recommended by the Government envisions enforcement, monitoring and sanctions mechanisms, it regrets that the Government did not consider the legislative option as a valid option for the United Kingdom.

43. The Working Group reiterated its recommendations included in its report of the visit to the United Kingdom (ibid.) and specifically in paragraph 41 of the report, where it highlighted a set of basic principles, which included the identification by the Government of activities that under no circumstances could be outsourced to private military and security companies; a registration system of private military and security companies with minimum transparency requirements; a licensing system of private military and security companies that would include an

[7] Consultation document, Foreign and Commonwealth Office, Consultation on promoting high standards of conduct by private military and security companies internationally.

adequate vetting system; an external complaint mechanism open to individuals, State agencies, foreign Governments and other companies to ensure criminal responsibility of individuals and civil liability of the companies; and a monitoring system of oversight of the activities of private military and security companies by the Parliament.

D. Other missions in preparation

44. By a letter dated 12 January 2009, the Working Group has been extended an invitation to visit the Sudan. The Working Group is currently considering possible dates for a visit to the Sudan as well as to Equatorial Guinea, whose authorities expressed their readiness to receive the Working Group. The Democratic Republic of the Congo expressed its verbal acceptance should the Working Group envision a mission in the country in 2010. The Working Group is also considering other possible country visits on the basis of the most recent information received on mercenaries or activities of private military and security companies.

IV. Regional consultations

45. The Working Group convened its second regional consultation for Eastern European and Central Asian countries from 17 to 18 October 2008, in Moscow (see A/HRC/10/14/Add.3).

46. This regional consultation was organized pursuant to paragraph 15 of General Assembly resolution 62/145, by which the Assembly expressed its appreciation to the Office of the High Commissioner for its support for convening in Panama the regional governmental consultation for Latin American and Caribbean States, and requested the Office of the High Commissioner to convene other regional governmental consultations on traditional and new forms of mercenary activities as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, in particular regarding the effects of the activities of private military and security companies on the enjoyment of human rights.

47. The consultation sought to gain a regional perspective about the current practices related to mercenaries and private military and security companies registered, operating or recruiting personnel in the region. It also provided an opportunity to discuss the fundamental question of the role of the State as holder of the monopoly of the legitimate use of force and to share information on steps taken by States in the region to introduce legislation and other measures to regulate and monitor activities of private military and security companies on the international market. The participants discussed general guidelines, norms and basic principles for the regulation and oversight of the activities of private military and security companies to encourage the further protection of human rights.

48. The consultation was attended by representatives of the Governments of Armenia, Bosnia and Herzegovina, Kyrgyzstan, Lithuania, Poland, the Republic of Moldova, the Russian Federation, Serbia, Slovenia, Tajikistan and Ukraine. Also attending were representatives from the Collective Security Treaty Organization, ICRC, the United Nations and civil society, academics and a representative from a private military and security company.

49. The Working Group observed that the private military and security industry was expanding globally, and underlined that the rapid rate of this growth had shifted the discussion from whether non-State actors should be allowed to use force to how they should use such force. In accordance with General Assembly resolution 62/145, the Working Group stated its belief that it was essential to actively pursue the debate on the fundamental question on the role of the State as holder of the monopoly of the legitimate use of force.

50. The Working Group reiterated its conclusion that legal codification of the comprehensive system of oversight and regulation for the private military and security industry should be based upon certain identified principles presented in the previous report to the General Assembly (A/63/325, para. 90). The Working Group also stressed the importance of developing an effective system for the licensing of the private military and security industry and the training of its employees as well as an effective vetting system for the selection of employees of private military and security companies. The Working Group presented its view of a comprehensive regulatory framework that would include international and regional binding agreements containing internal petitionary or complaints mechanisms, national legislation and policy, parliamentary control and oversight, self-regulation by the industry itself and independent monitoring by civil society institutions.

51. The draft text of a possible convention on regulating private military and security companies prepared by Russian experts as well as the findings of a model law project[8] by the School of Law at the University of Wisconsin-Madison were presented to the participants.

52. The Working Group plans to hold regional consultations for the Asia region in October 2009 and for Africa and Western Europe in 2010 to discuss the impact of traditional forms of mercenary activities as well as activities of private military and security companies on the enjoyment of human rights. The Working Group thanks the Governments of Thailand and Spain for offering to host these consultations.

V. Communications

53. The Working Group continues to receive information from Governments, NGOs and individuals concerning situations involving mercenaries, mercenary-related activities as well as allegations of human rights violations by private military and security companies. During the year under review, communications were sent to the Plurinational State of Bolivia, Croatia, Hungary, Israel, Ireland, Peru and Romania. The Working Group would like to thank the Governments of the Plurinational State of Bolivia, Hungary, Croatia, Romania and Ireland for their prompt replies to its communications. The communications and summaries of responses received from Governments will be reflected in the report of the Working Group to the Human Rights Council at its fifteenth session.

54. The Working Group reiterates its interest in receiving responses from the Governments concerned in regard to allegations submitted and considers response to its communications as an important part of the cooperation of Governments with its mandate.

[8] *Wisconsin International Law Journal*, Vol. 26, No. 4, pp. 1078-1094.

VI. Future activities

55. The United Nations Working Group will continue its efforts towards building consensus for a possible international draft convention on private military and security companies. The Working Group began its consultations with intergovernmental and non-governmental organizations, academic institutions and experts in July. To this date, the Working Group has sent the draft convention for consultation to some 250 experts.

56. From September to December 2009, the Working Group will review comments from intergovernmental, NGOs, academic institutions and experts and will adapt and consolidate its draft convention accordingly. In accordance with paragraph 13 (b) of Human Rights Council resolution 10/11, the Working Group will subsequently share with Member States, through the Office of the United Nations High Commissioner for Human Rights, elements for a possible draft convention on private military and security companies, requesting their input on the content and scope of such a convention and to transmit their replies to the Working Group. The Council requested the Working Group to report to it at its fifteenth session on the progress achieved in the elaboration of the draft legal instrument for proper consideration and action.

57. The Working Group will also pursue its efforts to elaborate an accompanying Model Law that would assist countries that are engaged in drafting national legislation on the regulation of private military and security companies.

58. In addition and pursuant to Human Rights Council resolution 7/21, from 26 to 28 October 2009, the Working Group will convene a regional consultation for Asia in Bangkok on the topic "Traditional and new forms of mercenary activities as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, in particular regarding the effects of the activities of private military and security companies on the enjoyment of human rights". The Working Group would like to thank the Government of Thailand for hosting this regional consultation.

59. The Working Group will also pursue its preparation for the regional consultation for Africa. From 13 to 15 October 2010, the last regional consultation will be held in Madrid for the Western European and Others Group. The Working Group would like to express its gratitude to the Government of Spain for hosting the regional consultations for Western Europe.

60. The Working Group will pursue consultations with Member States to promote the widest ratification and accession of States to the 1989 International Convention against the Recruitment, Use, Financing and Training of Mercenaries.

VII. Conclusions and recommendations

61. **The Working Group recommends that the approach of the international community to private military and security companies should imply greater State responsibility for the activities of private military and security companies worldwide, including responsibility for where and how they operate and their impact on the full enjoyment of human rights. Governments should devise national and international mechanisms to monitor abuses and violations of**

human rights and international humanitarian law and ensure that victims have access to appropriate remedies. The Working Group also urges Governments to end all existing agreements that confer immunity from prosecution for criminal offences and human rights violations to private military and security companies.

62. In addition to monitoring mechanisms, a complaint mechanism open to individuals, State agencies, foreign Governments and other companies and entities should be established to provide an avenue for victims to be heard and a means to request information from the concerned Government and, where necessary, seeking preventive, investigatory or remedial action. The Working Group believes that, in addition to complaint mechanisms at the national level, the international community should set up an international independent complaints procedure. The Working Group envisioned such a mechanism in its draft convention.

63. The Working Group welcomes the ongoing debate in some countries, notably in the United States, on the definition of what constitutes inherently governmental functions that under no circumstances could be outsourced by the State to the private sector. The Working Group believes that there are certain functions, including participation in direct hostilities, the handling and detainment of prisoners of war, civilian internees, terrorists, and others defined under international humanitarian law, the direction and control of intelligence interrogations and intelligence gathering and analysis as well as certain law enforcement functions that cannot, under international law, be outsourced. National legislation on the private military and security industry should clearly specify the types of activities prohibited for nationally registered companies, including mercenary-related activities or participating in overthrowing legitimate Governments and political authorities; both of these activities are banned by the International Convention against the Recruitment, Use, Financing and Training of Mercenaries. The Working Group is proposing a definition of fundamental State functions that cannot be outsourced, in its draft convention for consideration by Member States.

64. The Working Group is concerned by the lack of effective parliamentarian and public scrutiny on the scope and type of contracts allocated to private military and security companies, given the lack of transparency on the type of contractual arrangements between Governments and private military and security companies. The Working Group calls for further transparency and freedom of information on the number of such companies operating in conflict or post-conflict zones, information on the companies, number and nationality of personnel, casualties, number and types of weapons and vehicles as well as on the activities for which they are contracted, to be provided pursuant to legitimate limitations posed by national security and privacy.

65. In line with the mandate it has been given by both the General Assembly and Human Rights Council to make recommendations regarding the creation of new legal instruments to fill the gaps in existing legislation, the Working Group has prepared a draft of a possible new international convention on the regulation, oversight and monitoring of private military and security companies referred to above. Pursuant to paragraph 13 (b) of Human Rights Council resolution 10/11, the Working Group will share with Member States,

through the Office of the United Nations High Commissioner for Human Rights, this draft convention, requesting their input on the content and scope of such a convention. The Working Group expects to disseminate the draft convention in the first trimester of 2010 to all States Members of the United Nations and invites them to provide their input on the content and scope of such a convention.

66. The Working Group notes with appreciation that over the course of 2008, two additional States became party to the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, bringing the total number of States parties to 32. The Working Group commends the Governments of Honduras and of the Syrian Arab Republic for their ratification and reiterates its appeal to all Member States to ratify the Convention, as it remains an important international legal instrument for the prevention of the use of mercenaries as a means of violating human rights and the rights of people to self-determination.

67. The Working Group expresses its appreciation to all Member States, departments, programmes, bodies and agencies of the United Nations, including experts and non-governmental organizations, which assisted it in the fulfilment of its mandate.

Annex

Status of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries as at 2 July 2009

The International Convention against the recruitment, use, financing and training of mercenaries was adopted by the General Assembly in its resolution 44/34 on 4 December 1989, and entered into force on 20 October 2001.[a] The status of the 1989 International Convention as at 2 July 2009, with 17 signatories and 32 State parties, is presented below. Reservations are not reflected in the present annex.

State	*Signature, succession to signature (a)*	*Ratification, accession (b)*
Angola	28 December 1990	
Azerbaijan		4 December 1997[b]
Barbados		10 July 1992[b]
Belarus	13 December 1990	28 May 1997
Belgium		31 May 2002[b]
Cameroon	21 December 1990	26 January 1996
Congo	20 June 1990	
Costa Rica		20 September 2001[b]
Croatia		27 March 2000[b]
Cuba		9 February 2007[b]
Cyprus		8 July 1993[b]
Democratic Republic of the Congo	20 March 1990	
Georgia		8 June 1995[b]
Germany	20 December 1990	
Guinea		18 July 2003[b]
Honduras		1 April 2008[b]
Italy	5 February 1990	21 August 1995
Liberia		16 September 2005[b]
Libyan Arab Jamahiriya		22 September 2000[b]
Maldives	17 July 1990	11 September 1991

[a] Available from http://treaties.un.org (accessed on 2 July 2009).

State	*Signature, succession to signature (a)*	*Ratification, accession (b)*
Mali		12 April 2002[b]
Mauritania		9 February 1998[b]
Montenegro	23 October 2006[a]	
Morocco	5 October 1990	
New Zealand		22 September 2004[b]
Nigeria	4 April 1990	
Peru		23 March 2007[b]
Poland	28 December 1990	
Qatar		26 March 1999[b]
Republic of Moldova		28 February 2006[b]
Romania	17 December 1990	
Saudi Arabia		14 April 1997[b]
Senegal		9 June 1999[b]
Serbia	12 March 2001[a]	
Seychelles		12 March 1990[b]
Suriname	27 February 1990	10 August 1990
Syrian Arab Republic		23 October 2008[b]
Togo		25 February 1991[b]
Turkmenistan		18 September 1996[b]
Ukraine	21 September 1990	13 September 1993
Uruguay	20 November 1990	14 July 1999
Uzbekistan		19 January 1998[b]

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General Assembly

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International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001-2010

Note by the Secretary-General

The Secretary-General hereby transmits the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization in accordance with General Assembly resolution 63/113.

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I. Introduction

1. In 2008, the United Nations Educational, Scientific and Cultural Organization (UNESCO) submitted its annual report on its programmes and those of other United Nations entities as regards their adherence to and implementation of the Programme of Action on a Culture of Peace. In its resolution 63/113, the General Assembly commended UNESCO for recognizing the promotion of a culture of peace as an expression of its fundamental mandate and encouraged it, as the lead agency for the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001-2010, to strengthen further the activities it had undertaken for promoting a culture of peace. The Assembly also requested that the Secretary-General submit a report on the implementation of the resolution to it at its sixty-fourth session.

II. Implementation of the Programme of Action on a Culture of Peace

2. As UNESCO has been tasked with coordinating and directly implementing activities in connection with the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001-2010, the present report contains an overview of activities carried out by UNESCO, with the participation of other United Nations entities, Governments and civil society actors. It also contains an overview of activities reported by the International Labour Organization (ILO) and the World Health Organization (WHO), as well as information concerning joint United Nations programmes. Activities are presented in eight sections, corresponding to the eight actions defined in the Programme of Action on a Culture of Peace.

A. Actions to foster a culture of peace through education

3. UNESCO has been working to promote quality education for all as a central vehicle for preparing and instilling the skills and attitudes necessary to defuse and recognize potential conflicts and to actively promote a culture of peace and non-violence, in line with the human rights perspective contained in the Dakar Framework for Action on Education For All. In that regard, technical support and policy advice have been provided to member States to assist them in developing their education systems, curricula, materials and initial and in-service training programmes in order to build the skills needed to build a culture of peace.

4. An example is *Learning to Live Together: an Intercultural and Interfaith Programme for Ethics Education*, which was recently published by UNESCO, the United Nations Children's Fund (UNICEF) and the Arigatou Foundation for educators to teach children about respecting and understanding diverse faiths, religions and ethical beliefs. By helping young people and children to develop ethical decision-making skills and nurturing a sense of belonging, community and values, the programme aims to forge attitudes conducive to building peace through teaching tolerance and mutual understanding. A workshop to present the programme to researchers and practitioners was organized during the June 2009 International Association for Intercultural Education conference held in Athens. Guidelines for

enhancing quality education through textbooks and learning resources have also been published and widely circulated to all member States to support the development and selection of innovative and effective textbooks and other learning resources in order to improve the quality of education in all regions of the world. A meeting of experts was organized in Cairo in June 2009 on the dissemination and implementation of the UNESCO/Islamic Educational, Scientific and Cultural Organization interregional guidelines for the enhancement of quality learning through textbooks and learning media.

5. UNESCO has also been assisting member States in expanding access to education so as to: ensure that all learners may benefit from quality education, by ensuring that actions at the national level are based on needs of member States that have been identified through processes such as the UNESCO national education support strategy; complement existing national development strategies and plans; and ensure that UNESCO functions in a fully coordinated and complementary manner in line with efforts to achieve coherence within United Nations country teams. Many activities have been implemented in the Asia-Pacific region that are aimed at reorienting teacher education towards achieving quality education, particularly by mainstreaming a rights-based approach and gender equality and integrating education for sustainable development into teacher education. For example, UNESCO's office in Hanoi and the Ministry of Education and Training of Viet Nam participated in the regional project on "Strengthening teacher education to achieve education for all", which analysed policies, teacher-training systems, curricula and manuals to identify gaps in inclusiveness, especially in the promotion of gender equality, human rights and multilingual/mother-tongue-based education. In Latin America and the Caribbean, UNESCO continued to support teacher education through strengthening the leadership network, which is using its Governance and Leadership for Democratic and Peaceful Coexistence in Schools project, and through preparing guidelines to tackle the challenges of teacher training and teaching careers in Brazil. UNESCO also prepared an international course on public policies in teaching in Central America and assisted sub-Saharan African countries with their teacher-training programmes through the Teacher Training Initiative for sub-Saharan Africa.

6. Activities have been implemented that use information and communication technologies as a means for expanding access to quality education, particularly for girls and women, the poor, the marginalized and those with special needs, in a lifelong learning perspective. The use of such technologies for teacher-training initiatives is also being promoted in several regions. In Kazakhstan, national information and communication technology competency standards for teachers were developed and approved. In Cambodia, UNESCO facilitated the development of the "Information and communication technology in education master plan". All these initiatives at the global, regional, national and local levels are now harmonized and coordinated by the Task Force on Teachers for Education For All, endorsed by the Oslo Declaration of the eighth high-level group meeting on education for all. UNESCO also launched an online collaborative knowledge hub for training and capacity-building resources for development, which is a resource directory for agencies, practitioners and stakeholders to access relevant digital learning resources needed for local development and poverty eradication. Work on open educational resources, including the publication *The Way Forward*, provided access to digital

resources and tools, enabling a worldwide community to share and exchange information.

7. Research projects have also been undertaken in collaboration with UNESCO university chairs, universities and research institutes on issues related to access, success and quality education. Outstanding examples of activities to promote peace education have also been rewarded, and best practices on promoting peace and human rights education, democratic citizenship and intercultural and inclusive education, as well as heritage education, have been disseminated through the UNESCO network of associated schools. This year, the Félix Houphouët-Boigny Peace Prize was awarded to Luiz Inácio Lula da Silva, President of Brazil, in recognition of his actions in favour of peace and equality of rights and his initiatives to eradicate poverty.

8. UNESCO has also been providing a platform for intellectual exchanges aimed at promoting dialogue and research and developing norms and standards in education. In 2008 and 2009, the Organization held a series of landmark international education conferences on inclusive quality education, education for sustainable development, adult learning and higher education. Those conferences have helped to keep educational issues on the global agenda despite the economic and financial crisis. They included the forty-eighth session of the International Conference on Education, held in November 2008 in Geneva, on "Inclusive education, the way of the future"; the UNESCO World Conference on Education for Sustainable Development: Moving into the Second Half of the United Nations Decade, held in Bonn from 31 March to 2 April 2009; and the World Conference on Higher Education, held at UNESCO in Paris from 5 to 8 July 2009, on "The new dynamics of higher education and research for societal change and development". The conferences offered a unique global opportunity for broad dialogue on educational priorities and provided guidance to policymakers and other stakeholders on paths for transforming education systems. Each conference brought together representatives from UNESCO member States, United Nations entities, multilateral and bilateral cooperation agencies, civil society organizations, the private sector and academia.

9. Information-sharing has also been supported through the convening of expert meetings to bring together key stakeholders to examine issues related to violence in schools, school-related gender violence and corporal punishment. As part of the follow-up by UNESCO to the *World Report on Violence against Children*, in partnership with experts and relevant institutions such as the International Observatory on Violence in Schools, UNESCO has been promoting research, data collection, awareness-raising and advocacy efforts to strengthen and apply legal and political mechanisms to protect the rights of children. It has been leading capacity-building activities in a number of countries at the national level and disseminating and exchanging examples of good practices. Examples of activities include a Caribbean regional workshop on reduction in school violence, held in the Bahamas in February 2008, the world conference on "Violence at school and public policies", organized in June 2008 in Lisbon, and the preparation of the publication *A Guide for Teachers: Stopping Violence in Schools*. UNESCO also organized a high-level forum of ministers from Central America in charge of youth issues. The forum, held in Costa Rica in August 2009, focused on development and violence prevention and contributed to preventing youth violence in the region.

10. Information and communication technologies, such as community radio, newspapers and the Internet, in communities and schools are also being used to promote peace education on issues related to non-violence, tolerance and mutual understanding. For example, the UNESCO offices in Brazil and Uruguay are working with the Brazilian Institute of Applied Technology and Innovation of the hydroelectric energy supplier ITAIPU on a regional-level project called the "Young people movement for non-violence", which aims to foster a culture of non-violence among young people through capacity-building strategies for social and professional integration in a region that sees one of the highest tolls in Latin America of violence and drug abuse among teenagers.

11. WHO has been working with countries to strengthen national capacities to prevent violence through policies and programmes that address the underlying causes and risk factors of violence and thereby reduce the frequency of new acts of violence. The pilot phase of the WHO global mentoring programme for violence and injury prevention, known as MENTOR-VIP, has come to an end, and MENTOR-VIP will start running a programme in September 2009. That programme is designed to match a junior injury prevention practitioner with a more experienced expert, so that the former may develop specific skills through structured collaboration with the latter.

12. The work of WHO in violence prevention capacity development also includes the ongoing dissemination and implementation of TEACH-VIP (Training, Educating and Advancing Collaboration in Health on Violence and Injury Prevention), a modular violence and injury prevention curriculum developed by WHO and a network of global violence and injury prevention experts. That material has been requested by trainers from more than 80 countries across all WHO regions. Successful efforts were made in a number of countries to have the material formally integrated into public health school curricula. It has also been translated into several of the official languages of the United Nations and was used in regional trainings. After extensive revisions, the second edition of TEACH-VIP will be released in 2010. An online version of TEACH-VIP for self-administered learning will be launched at the end of 2009, along with a CD-ROM version. A series of short modular and self-contained courses on violence and injury prevention are being developed and will be available at the end of 2010.

13. In 2008-2009 WHO, in collaboration with the Violence Prevention Alliance, disseminated its new guidance document,[1] which highlights how the health, psychosocial, and economic consequences of violence impede development. It urges development agencies to pay more attention to, and step up their investment in, violence prevention. The guidance document identifies the gaps, and the many strengths, in the current violence-prevention priorities of development agencies and proposes a strengthened agenda for more effective violence prevention.

B. Actions to promote sustainable economic and social development

14. UNESCO has been reaffirming the centrality of education for sustainable economic and social development and crisis recovery and has been stressing the

[1] World Health Organization, *Preventing Violence and Reducing its Impact: How Development Agencies Can Help* (Geneva, 2008).

importance of protecting the most vulnerable. It has been advocating at international forums for increasing investments in education as a response to the global financial crisis and working to generate and maintain political commitment to education within the international community. Recent opportunities included the March 2009 General Assembly thematic debate on access to education in emergencies and preparatory meetings with the Group of Eight (G-8) Education Expert Group, in which UNESCO pressed for a stronger message on the crucial role of the education in development during the G-8 summit in Italy in July 2009. UNESCO also raised awareness of education issues among the public at large through national launches of the 2009 Education for All Global Monitoring Report and this year's Global Action Week (20-26 April 2009), which focused on youth and adult literacy and lifelong learning and was marked by activities mobilizing some 13 million people worldwide.

15. The organization also carried out a survey with its member States, in consultation with the Organization for Economic Cooperation and Development, to analyse and monitor the impact of the financial and economic crisis on education expenditure. The survey will help to identify the likely consequences of the crisis for educational development, especially in the countries that are most challenged in the area of education for all.

16. At the regional level, UNESCO supported the strengthening of many regional networks for education for all. In the Asia-Pacific region, the regional thematic group on education for all was expanded and strengthened; it is linked strategically with existing regional networks. In the Pacific cluster, ministers of education endorsed the Pacific Education Development Framework, linked strategically with the goals of education for all. UNESCO continued to support the regional education project for Latin America and the Caribbean and developed a strategy to monitor policy actions to achieve education for all in the region. In Africa joint planning meetings were held between UNESCO and the four main regional economic communities on the joint implementation of the African Union Plan of Action for the Second Decade of Education for Africa. South-South and North-South collaboration on and exchanges of effective practices in education for all were enhanced and educational networks among developing countries strengthened, as illustrated by the 10 intercountry collaborative projects on "reaching the unreached" for South-East Asia.

17. At the national level, UNESCO assisted member States in better managing their national education systems and translating a holistic approach to education for all into policy and practice. Countries were assisted in preparing credible national educational plans. UNESCO facilitated the education for all fast-track initiative process to secure funding in Haiti and the Central African Republic and led the partner coordination group in formulating the sector strategy and preparing the fast-track initiative proposal in Cameroon.

18. To promote poverty eradication through sustainable endogenous economic development, UNESCO assisted member States in developing, reformulating and revitalizing their technical and vocational education and training systems. Entrepreneurship training for learners in formal and non-formal education and training programmes has also been promoted.

19. UNESCO has also been advocating for the need to invest in science, innovation and new technologies, including green technologies, in order to stimulate

economic growth while contributing to a sustainable environment and as a means of assisting developing countries in accelerating out of the financial crisis. The organization was a signatory to the United Nations inter-agency statement entitled "Green economy: a transformation to address multiple crises". It has been working with a number of member States, particularly in Africa, to develop scientific policies and to build human and institutional capacities to promote innovation. A number of activities were carried out to enhance capacity in science policy formulation and implementation in Africa and the Arab States. Science, technology and innovation policy review and reformulation meetings were held in Gaborone for 15 Southern African Development Community States and in Mombasa, Kenya, for 11 East and North African countries. UNESCO also launched the African Science, Technology and Innovation Policy Initiative to build capacities in science, technology and innovation policy formulation and to develop such policies at the national level.

20. Within the United Nations "Delivering as one" initiative, UNESCO developed proposals for the reform of the entire science sector in the United Republic of Tanzania, which were then integrated into the workplans of the "One United Nations" joint programmes. Furthermore, the science, technology and innovation system of Albania was reformed, and a new science, technology and innovation strategy for 2009-2015 was adopted and launched in June 2009. A regional plan of action for science and technology for the Arab States was also developed by UNESCO in partnership with the Arab League Educational, Cultural and Scientific Organization.

21. UNESCO has also been assisting member States in fostering policies, in building technical capacity and in promoting research, networking, education and international cooperation in the fields of water and ecological and earth sciences. International conferences and training events on integrated water resource management were organized with key academic and research institutions for developing country practitioners. Dedicated resources and tools were developed, such as the Integrated Water Resources Management Guidelines at River Basin Level, in collaboration with the Government of Japan and other partners, and widely distributed. The organization also participated in the Fifth World Water Forum in Istanbul, Turkey, in March 2009, at which the Director-General launched the third edition of the *United Nations World Water Development Report*.

22. To address the issue of climate change, which will likely have significant economic and social consequences, with an impact on peace, security, stability and development in many regions of the world, UNESCO is assisting member States to build and maintain the requisite knowledge base, to adopt measures for adapting to the impacts of climate change and to contribute to the mitigation of its causes, including through enhanced education and public awareness. UNESCO is also moving towards being a climate-neutral organization. UNESCO, together with the World Meteorological Organization (WMO), has been charged with the role of convener for United Nations entities active in the cross-cutting areas of science, assessment, monitoring and early warning.

23. The third World Climate Conference, to be held from 31 August to 4 September 2009 in Geneva, is a major outcome of the convening roles of UNESCO and WMO in the climate science knowledge base. It will be instrumental in achieving United Nations-wide collaboration on a global framework for climate services aimed at delivering climate information to enable national policymakers

and other end users in all sectors of society to adapt to climate change. UNESCO is contributing to the high-level segments and is organizing a scientific working session on the climate of oceans and coasts, forums on gender and climate and on capacity-building, education and training and a side event on groundwater and climate, as well as contributing to the drafting of the final declaration from the Conference. UNESCO also actively participated in overall United Nations climate change efforts led by the United Nations System Chief Executives Board for Coordination and its High-level Committee on Programmes working group on climate change, which are summarized in "Acting on climate change: the United Nations system delivering as one".

24. UNESCO furthered its actions in fostering cultural diversity and intercultural dialogue at the country level, thus illustrating the central role of culture in and for sustainable development. Its involvement in common country programming exercises was strengthened through the inclusion of culture as a pillar of development and as a factor of social cohesion, most notably in a number of United Nations Development Assistance Frameworks. UNESCO is currently implementing 18 joint programmes funded under the thematic window on culture and development of the United Nations Development Programme (UNDP)-Spain Millennium Development Goals Achievement Fund, UNESCO being the lead agency for 13 of those projects. The first inter-agency meeting of the Fund, held in April 2009, embarked on devising a pilot "culture and development" knowledge management scheme for the system at large.

25. Owing to the emerging need to develop science-based policy responses to address the likely social impacts of the global financial crisis and to promote sustainable development, UNESCO has been involved in organizing a number of high-level events with ministers of social development. For example, an event on "Rethinking social policies in light of the response to the financial crisis" was organized during the World Social Science Forum in May 2009, at which several ministers emphasized the importance of continued investment in social protection and social safety nets and of human rights-based approaches and cooperation among all stakeholders. Likewise, the ninth session of the Intergovernmental Council of the Management of Social Transformations (MOST) Programme, to be held in September, will analyse national and international social policy responses to the financial crisis, with the participation of ministers of social development, representatives from the United Nations system and regional organizations, researchers, non-governmental organizations and a business representative. Upcoming regional forums of ministers for social development in Latin America (Quito, August 2009) and from the East African Community (Bujumbura, September 2009) will also focus on the crisis and implications for social policies at the regional level.

26. The Armed Violence Prevention Programme is a United Nations multiagency programme that will contribute to a more coherent and evidence-guided approach to armed violence and its prevention. Initiated in 2006 as a collaborative project between UNDP and WHO, phase two of the Programme, which is about to be launched, is a joint initiative between UNDP, UNICEF, the United Nations Human Settlements Programme, the Office for Disarmament Affairs, the United Nations Office on Drugs and Crime and WHO. Policy development, research and programming in phase two will draw on the comparative advantages of each organization, with a specific focus on ensuring that the impact and unique needs and

experiences of men, women, boys and girls are considered. The first year of phase two will focus on Guatemala, Jamaica and Kenya. The objective of the Armed Violence Prevention Programme is to promote effective armed violence prevention and response founded on a clear understanding of the dynamics and impacts of armed violence and the contexts in which it thrives, as well as best practices generated from violence reduction and prevention initiatives to date. The specific objectives of phase two of the Programme are (a) to promote the development of policy guidance, strategies and effective partnerships on armed violence prevention at the global and regional levels and the integration of armed violence prevention into development cooperation frameworks and mechanisms; (b) to contribute to strengthening national capacities to address armed violence, including through strengthened data collection and monitoring mechanisms, and to formulate and implement evidence-based armed violence prevention policies, strategies and programmes; and (c) to promote a methodologically rigorous approach to, and undertake several evaluations of, violence prevention programmes.

C. Actions to promote respect for all human rights

27. Recognizing that promoting human rights is fundamental to building a culture of peace, UNESCO is aiming to achieve further progress in the implementation of those rights that lie within its fields of competence and to make the standards and principles of international human rights law known and understood as widely as possible. These rights include the right to quality education, the right to freedom of opinion and expression, the right to participate in cultural life, the right to enjoy the benefits of scientific progress and their application, the right to access to safe drinking water and, underpinning all of them, the right to express oneself in one's mother tongue.

28. UNESCO has been actively involved in promoting the right to education through its work to implement the World Programme for Human Rights Education proclaimed by the General Assembly in 2004 (resolution 59/113 A). The Organization advocates for the inclusion of human rights principles and values within the education system and encourages member States to draw up and implement national plans of action for human rights education. The fourth consultation on the implementation of the Recommendation concerning Education for International Understanding, Cooperation and Peace and Education relating to Human Rights and Fundamental Freedoms (adopted by the General Conference of UNESCO in 1974) began in November 2008 in cooperation with all member States. As at July 2009, 34 countries had submitted their reports, on the basis of which a synthesis report will be submitted to the 182nd session of the Executive Board of UNESCO.

29. In follow-up to the forty-eighth session of the International Conference on Education, held in Geneva in November 2008, more emphasis has been placed at the global, regional and country levels on promoting the right to education and assisting countries in developing and implementing inclusive education policies. The organization has developed the UNESCO Policy Guidelines on Inclusion in Education and is preparing a database of innovative good practices. In Asia and the Pacific, for example, activities addressing those issues showed significant positive results in terms of the development of inclusive education policy frameworks and master plans. UNESCO's support for evidence-based advocacy efforts, aimed at

informing national education policy reform processes, was effective in enhancing the inclusiveness of national education systems, in particular in Afghanistan, Cambodia, China and the Lao People's Democratic Republic.

30. UNESCO has also been involved in an inter-agency initiative with the Office for Democratic Institutions and Human Rights, the Council of Europe, and the Office of the United Nations High Commissioner for Human Rights (OHCHR) to compile some 100 examples of good practices in human rights education, citizenship education and education for mutual respect and understanding in primary and secondary schools and teacher-training institutions. The publication will be launched in autumn 2009. At the request of OHCHR, UNESCO organized an expert meeting in May 2009 on the right to take part in cultural life. The recommendations contributed to the discussions at the forty-second session of the Committee on Economic, Social and Cultural Rights. The right to access to safe drinking water and sanitation was further elucidated in an expert meeting organized by UNESCO in cooperation with OHCHR in Paris in July 2009. The right to express oneself in one's own mother tongue was promoted through the dedicated intersectoral platform on languages and multilingualism, which brings together all major programmes of the organization and focuses on the role of languages and multilingualism in their human and cultural dimensions and in contributing to sustainable development, social cohesion and peace. Information regarding the activities of UNESCO to promote freedom of expression is outlined in section G below. In addition, the International Centre for the Advancement of Human Rights was established in Buenos Aires under the auspices of UNESCO.

31. As part of its ongoing Global Campaign for Violence Prevention, WHO convened the annual meeting of the Violence Prevention Alliance in December 2008. The three main achievements of the meeting were the development of a strategy to generate political priority for violence prevention, the preparation of a plan for Alliance participants to raise violence prevention on the agendas of official development assistance (ODA) agencies and the adoption of two new priorities for Alliance work in 2009-2012 (strengthening intersectoral collaboration for violence prevention, starting with enhanced public health and criminal justice/policing collaboration, and enhancing national and local violence prevention capacity). In September 2009, the fourth Milestones of a Global Campaign for Violence Prevention meeting will take place at WHO headquarters in Geneva. The theme of the meeting is "Boosting global violence prevention". The meeting is aimed at substantially increasing action, political support and funding for violence prevention worldwide. It is expected to bring together representatives of ODA agencies, United Nations entities and large non-governmental organizations to find ways to step up support for violence prevention. The meeting is to include ministers of health and ministers from other sectors as keynote speakers and presenters. Of the 150 participants who are expected to attend, many will be policymakers, high-level planners and others with decision-making authority at the local, national and international levels.

D. Actions to ensure equality between women and men

32. In accordance with the new medium-term strategy for 2008-2013, which has designated gender equality as one of two global priorities of the organization, UNESCO has been giving priority to the pursuit of gender equality through action in

all of UNESCO's fields of competence by pursuing both gender-specific programming and gender mainstreaming in member States and within the organization. A practical and results-based Priority Gender Equality Action Plan for 2008-2013 was endorsed by the Executive Board of UNESCO at its 181st session. It describes the actions that UNESCO's programme sectors will pursue between 2008 and 2013 to contribute to the pursuit of the empowerment of women and gender equality. The organization is also supporting those objectives in member States by: (a) mainstreaming gender equality issues throughout the programming cycle at all programme levels; (b) building commitment, competence and capacity for gender mainstreaming through dedicated capacity development and resources for those purposes; (c) in the secretariat, supporting equal career opportunities for staff and appropriate working arrangements to balance work and life; and (d) progressively increasing the representation of women at decision-making levels within the secretariat to 50 per cent by 2015.

33. With regard to the capacity development and training programme in gender mainstreaming, four programme sectors and a majority of field office staff have received training to date. Special training and coaching have been provided to UNESCO's Iraq programme staff based in Amman and staff from the UNESCO office in Amman to ensure gender mainstreaming in conflict and post-conflict contexts. Capacity development and training in gender mainstreaming was also furthered by the development of interactive, online training programmes, and advanced in-person training for selected staff in headquarters and field offices. More attention was brought to the importance of promoting the empowerment of women and gender equality through the organization of four seminars as part of the UNESCO Forum on Gender Equality.

34. UNESCO has been promoting the empowerment of women, the rights of women and gender equality as a priority objective throughout all United Nations joint programmes. It is a lead player in the joint programme on gender equality between the United Nations and the Government of Viet Nam and promotes gender equality at the country level by integrating gender equality components into all UNESCO country programming documents. The organization participates in 4 of the 13 proposals retained under the thematic window on gender equality of the UNDP-Spain Millennium Development Goals Achievement Fund. UNESCO collaborates with the Inter-Agency Network on Women and Gender Equality, and is co-manager of that Network's task force on gender and climate change. It also collaborated with UNDP and the International Union for Conservation of Nature for the development of the first-ever Training Manual on Gender and Climate Change and is the lead agency in the gender forum at the third World Climate Conference. It is also involved in other task forces on tracking investments in gender equality in United Nations agencies and on the development of a system-wide gender equality action plan as well as the United Nations Development Group task team on gender equality.

35. UNESCO strongly supports the Convention on the Elimination of All Forms of Discrimination against Women, adopted in 1979 by the General Assembly (resolution 34/180, annex) by:

(a) Widely distributing the "passport to equality", which contains the articles of the Convention, to member States;

(b) Using sex disaggregated data and gender analysis to reveal how policies have different impacts on women and men, but also inviting women to share their own experiences;

(c) Forging and strengthening the political will to achieve gender equality and the empowerment of women, particularly through two new initiatives: (i) the UNESCO and Sony Ericsson Women's Tennis Association Tour global partnership to further gender equality and pro. ıote women's leadership in all spheres of society, as a part of which the tennis players Venus Williams (United States of America), Tatiana Golovin (France) and Jie Zheng (China) were appointed "promoters of gender equality", resulting in a first round of projects supporting women's leadership in Cameroon, China, the Dominican Republic, Jordan and Liberia; and (ii) the "Group of women ambassadors to UNESCO for gender equality", to promote the empowerment of women and gender equality, both within the organization and in member States;

(d) Promoting the participation of women in scientific research through the UNESCO/L'Oreal Partnership for Women in Science.

E. Actions to foster democratic participation

36. UNESCO has been working to instil democratic values in all learners as an integrated component in its work to provide quality education at all educational levels through both formal and non-formal education. Democratic governance and citizenship participation in developing countries, particularly those in post-conflict situations, have also been promoted by UNESCO through training journalists and media professionals in non-partisan and independent reporting techniques in conflict areas; supporting the establishment of the necessary conditions for independent media by providing expertise to national authorities seeking to adapt their media legislation to internationally recognized standards of freedom of expression, peace and tolerance; and assisting the media in covering elections. In line with the UNESCO integrated strategy on democracy, the International Centre for Human Sciences contributed to promoting the human sciences, namely through fostering comparative analytical research, organizing international dialogues on the future of democracy and supporting democracy in post-conflict areas. The Centre organized a seminar on "Democracy: new challenges, new approaches" in May 2009 and a workshop with non-governmental organizations in July 2009. In addition, the new Permanent Forum of Arab-African Dialogue on Democracy and Human Rights held the first meeting of its Steering Committee in May 2009 to discuss the orientation, structure and functioning of the Forum. The mission of the Forum is to provide a space for ongoing dialogue between the two regions and among the various institutions involved in implementing policies and strategies relating to human rights.

F. Actions to advance understanding, tolerance and solidarity

37. UNESCO has been contributing to peace, mutual understanding and social cohesion through the promotion of a dialogue among civilizations and cultures in accordance with the Global Agenda for Dialogue among Civilizations and its Programme of Action proclaimed by the General Assembly in 2001 (resolution

56/6). It has been drawing on relevant recommendations of the report of the Alliance of Civilizations and implementing activities that focus on youth, women, civil society, the media, educators and education to avoid discrimination against migrants. To strengthen action in the area of dialogue, UNESCO has established an intersectoral platform on "Contributing to the dialogue among civilizations and cultures and a culture of peace", in order to address that global challenge through an interdisciplinary approach.

38. To further an integrated approach to education based on cooperation and dialogue, UNESCO organized the Copenhagen Conference on "Education for intercultural understanding and dialogue" in October 2008. The outcomes of the Conference focused on the development of special platforms for cooperation across cultural boundaries, with a particular focus on young people as key agents of change.

39. UNESCO has also been supporting dialogue through the Greater Horn Horizon Forum, the objective of which is to encourage dialogue among intellectuals in the countries of the Horn of Africa and in the diaspora and to contribute to the development of mutually accepted solutions to the problems of the region. The Forum is composed principally of academics and civil society actors who, through their multidisciplinary research, support the Intergovernmental Authority on Development and the Governments in the region in developing their responses to present and future challenges. The main objective is to reinforce the link between researchers and policymakers so as to support the development of policies that promote peace and sustainable development and respect human rights.

40. In order to build sustainable bridges for dialogue, UNESCO has been working with its member States to revise textbooks and curricula to help ensure the removal of hate messages, distortions, prejudice and negative bias from textbooks and other educational media and to ensure basic knowledge and understanding of the main cultures, civilizations and religions of the world. The completion of the *History of Humanity* and the *General History of Latin America* concludes the long-term programme of UNESCO histories, which has involved the intellectual cooperation of more than 1,800 eminent specialists from all regions of the world. The project for the pedagogical use of the *General History of Africa* was also completed. Cooperation with national commissions has enabled the project on "The image of the other in Arabo-Islamic and European textbooks" to be implemented. Activities to strengthen the fight against cultural, ethnic and religious prejudice were also pursued, in particular through the revitalization of the Slave Route Project, which contributes to a better understanding of the causes, forms of operation, issues and consequences of slavery in the world (Africa, Europe, the Americas, the Caribbean, the Indian Ocean, the Middle East and Asia).

41. The promotion of cultural diversity is inseparable from the encouragement of dialogue if harmonious social interaction is to be facilitated within and among cultures in furtherance of peace locally and internationally. Thus, UNESCO has been working to advocate for the ratification of the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions. The number of parties to the Convention increased to 99, with 21 new ratifications. A fund-raising strategy for the International Fund for Cultural Diversity and a new strategy for the Global Alliance for Cultural Diversity were also devised.

42. UNESCO has also been promoting the sharing of common values pertaining to specific scientific disciplines in different cultural settings through such mechanisms as the From Potential Conflict to Cooperation Potential initiative. The initiative facilitates multilevel and interdisciplinary dialogues in order to foster peace, cooperation and development related to the management of shared water resources.

43. Efforts have been made to assist free, independent and pluralistic media by working with associations of professional journalists to prevent conflict and promote mutual understanding, notably through the creation of cross-cultural networks, the development of ethical and professional approaches to reporting and training and awareness-raising for media professionals so as to promote an enabling environment for free self-expression. For example, the Power of Peace Network, a simulated broadcast and Internet innovation, is harnessing the power of communication and information technologies for mutual understanding and peace.

44. Issues of discrimination in respect of employment and occupation have been central to ILO activities in post-conflict responses. For example, the majority of demobilized ex-combatants often face challenges in finding job opportunities owing to the stigma attached to them. ILO has continued to provide technical advice and backstopping for the socio-economic reintegration of ex-combatants and other war-affected populations. At the inter-agency level, ILO has been actively involved in the United Nations Inter-Agency Working Group on Disarmament, Demobilization and Reintegration of ex-combatants, which consists of 17 United Nations departments, agencies, funds and programmes and the International Organization for Migration. ILO has taken the lead to develop and revise international standards on the reintegration of ex-combatants. At the country level, ILO provided entrepreneurship skills training for about 5,000 ex-combatants in Liberia in early 2009. Through these activities, equality and discrimination issues in employment for ex-combatants and other specific-needs groups, such as persons with disabilities, youth, women and children formerly associated with armed forces and groups, have been increasingly attended to in post-conflict reconstruction activities.

G. Actions to support participatory communication and the free flow of information and knowledge

45. UNESCO increased awareness about freedom of expression through the worldwide celebrations for World Press Freedom Day (3 May) and international conferences on "Freedom of expression, access to information and empowerment of people" in Maputo in 2008 and on "Potential of media: dialogue, mutual understanding and reconciliation" in Doha in 2009. The award of the UNESCO/Guillermo Cano World Press Freedom Prize gave high visibility to the efforts of UNESCO. This was amplified through the organization of an international high-level symposium on freedom of expression and an accompanying exhibition in Paris in October 2008. Awareness-raising efforts resulted in the recognition of the important role that a free media plays in development, democracy and dialogue — in the Accra Agenda for Action and in the outcome document of the meeting on media and development held jointly by the African Union and the European Commission in September 2008 in Ouagadougou.

46. Freedom of the press training also enabled journalists to apply internationally recognized legal, ethical and professional standards to their work. Local institutional

capacity in creating legal frameworks and regulatory and policy conditions conducive to such fundamental freedoms was also strengthened. This includes the promotion of traditional and new media as a platform for dialogue and enhancing democratic governance.

47. UNESCO has been fostering universal access to information by assisting in the formulation of national information policy frameworks, in particular within the framework of the Information for All Programme; supporting the preservation of analogue and digital documentary information through the Memory of the World Programme; establishing policy frameworks and international standards to increase information literacy; monitoring developments and fostering the exchange of best practices with regard to the ethical dimensions of the information society, building on the priorities of the Information for All Programme; fostering international partnerships for enhancing universal access to information; and encouraging the development of knowledge societies.

48. The development of free, independent and pluralistic media is being promoted through UNESCO's International Programme for the Development of Communication and by building the capacities of media professionals through enhancing the quality of media training institutions, as well as by fostering community access to information to increase opportunities for non-formal education and inclusive participation in development and in management of social transformations.

49. To facilitate community access to information, UNESCO has been supporting community multimedia centres, which combine traditional local media, such as newspapers, radio and TV, with new technologies, such as computers, the Internet and digital devices. Community multimedia centres have been introduced in 34 countries, 19 of them in Africa.

H. Actions to promote international peace and security

50. UNESCO has also developed an intersectoral platform in order to strengthen its efforts to assist countries in post-conflict and post-disaster situations in all of its programme areas (education, the sciences, culture, communication and information). It provides expertise and advice in conflict resolution applied to natural resource management and to the integration of disaster prevention and mitigation efforts, in particular early warning systems, into post-conflict and disaster responses; supports the revitalization of in-country research facilities, policy formulation, implementation and monitoring in the various fields of the natural, social and human sciences; protects damaged cultural and natural heritage, including through the emergency consolidation and rehabilitation of damaged cultural heritage sites and institutions and the safeguarding of endangered intangible cultural heritage; strengthens the role of communication and information in fostering mutual understanding, peacebuilding and reconstruction; and promotes the development of institutional and human capacities for the development of sustained free and independent and pluralistic media. UNESCO has participated in post-conflict and post-disaster responses coordinated by the United Nations in Afghanistan, in China following the Sichuan earthquake, in Cuba and Haiti following hurricanes, as part of the reconstruction of Iraq, in Myanmar following Cyclone Nargis, following floods in Namibia and in Pakistan. Eight UNESCO field offices are involved in the conflict

resolution and peacebuilding thematic window of the UNDP-Spain Millennium Development Goals Achievement Fund.

51. UNESCO has also been working in favour of the full implementation of Security Council resolution 1325 (2000) on "women and peace and security". It promoted the involvement of women in peace and security at the institutional level in post-conflict countries through the establishment of women's research and documentation centres, and it has been cooperating with the Bethlehem Peace Centre, which endeavours to bring together Palestinian and Israeli women to engage in intercultural and interreligious dialogue.

52. To promote international peace and security by furthering efforts to engage multi-stakeholders in the dialogue among civilizations, cultures and peoples, UNESCO consulted with a broad range of partners and organizations to identify possibilities for joint action and partnerships. UNESCO has pledged to promote dialogue among political leaders in countries of South-Eastern Europe as they work to create a common vision of the future that is based on international cooperation. It assisted with the organization of a series of regional meetings in Ohrid, the former Yugoslav Republic of Macedonia (2003), Tirana (2004), Varna, Bulgaria (2005), Opatija, Croatia (2006), Bucharest (2007) and Athens (2008). In Athens, Heads of State and other leaders from the South-Eastern European region adopted the Athens Declaration, which emphasizes the role of cultural routes, itineraries and corridors as platforms for regional cooperation and foresees the development of a pool of joint projects on cultural water routes as a means to contribute to stability and peace in the region. This will build upon the work of UNESCO to develop the "cultural corridors" initiative in South-Eastern Europe.

53. UNESCO also participates in the development of the Secretary-General's counter-terrorism strategy within the framework of the inter-agency Counter-Terrorism Implementation Task Force. The United Nations Global Counter-Terrorism Strategy designated a key role for UNESCO in its plan of action, which referred to the promotion of dialogue and the prevention of the defamation of religious beliefs and to the promotion of a culture of peace, justice and human development through interfaith dialogue among civilizations.

III. Role of civil society

54. UNESCO is encouraging civil society to strengthen its efforts to promote a culture of peace through various programmes and initiatives, such as the "Civil societies in dialogue: Israel/Palestine" programme, which aims to help leaders of civil society organizations build a common future through dialogue and policy-oriented research. Through that programme, UNESCO aims to contribute to establishing a constructive dialogue between the two societies, which is an essential prerequisite for sustainable peace. It has strongly encouraged the creation of a permanent forum of dialogue between Israel and the occupied Palestinian territories and promoted active collaboration among researchers and universities. Under the programme, several studies have been carried out, resulting in the publication of three books prepared jointly by Israeli and Palestinian teams.

55. The culture of peace was also promoted among youth through the 2009 international essay contest for young people that was organized with the Goi Peace Foundation. The theme of this year's contest was "the role of science in building a

better world". Young people from around the world were invited to submit their innovative ideas on that theme. Winners will be announced in November 2009. First-prize winners will be invited to the award ceremony to be held in Tokyo in November.

56. International public-private partnerships for young people were also implemented in Côte d'Ivoire, Guatemala and the occupied Palestinian territories that aim at empowering disadvantaged youth in conflict and post-conflict situations through improved access to, and use of, information and communication technologies and web-based social networking tools. Space and tools were provided for youth to express themselves, share their views and opinions and overcome mobility restrictions. Community youth-oriented initiatives were developed, based on strategies for youth to access information and knowledge related to development and peace through traditional and new media. UNESCO also continued the public-private partnership with Daimler to support the Mondialogo initiative, which promotes intercultural dialogue on sustainable development issues through its school contest, engineering award and intercultural Internet portal.

57. UNESCO's network of national commissions has been facilitating contact and promoting interaction between member States and the intellectual and professional communities in each country in order to forge alliances and to extend the outreach of UNESCO in each member State. The national commissions have been significantly contributing to the pursuit of the objectives of the organization and the conceptualization, implementation and delivery of its programmes at the regional, subregional and national levels.

IV. Communication and networking arrangements

58. In order to raise awareness about the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001-2010, UNESCO continued to distribute the Programme of Action on a Culture of Peace and to provide information on the activities of UNESCO to promote a culture of peace to all interested parties. Updates on the activities of UNESCO and those of other organizations working to promote a culture of peace were provided on the culture of peace website that was established during the International Year for the Culture of Peace (2000).

V. Recommendations

59. **United Nations agencies, funds and programmes are encouraged to continue focusing their programmes on the various dimensions of the culture of peace, especially at the country level.**

60. **Member States, for their part, are encouraged to:**

(a) **Ensure that funding quality education for all is a top priority and that the financial crisis does not serve as a justification for a reduction in the allocation of resources to education at both the national and international levels;**

(b) **Increase investments in science and technology, especially green technologies, in order to promote a green economy;**

(c) **Strengthen education for sustainable development, lifelong learning for all and equal access of all levels of society to learning opportunities so as to implement the principles of inclusive education;**

(d) **Review and revise educational and cultural policies to reflect a human rights-based approach, cultural diversity, intercultural dialogue and sustainable development;**

(e) **Strengthen efforts to remove hate messages, distortions, prejudice and negative bias from textbooks and other educational media and to ensure basic knowledge and understanding of the world's main cultures, civilizations and religions;**

(f) **Promote school cultures and environments that are child-friendly, conducive to effective learning, inclusive of all children, healthy, protective and gender-responsive and encourage the active role and the participation of the learners themselves, their families and their communities;**

(g) **Expand access to information and communication technologies to bring the benefits of all levels and means of education to girls and women, the excluded, the poor, the marginalized and those with special needs in a lifelong perspective.**

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Assistance to survivors of the 1994 genocide in Rwanda, particularly orphans, widows and victims of sexual violence

Assistance to survivors of the 1994 genocide in Rwanda, particularly orphans, widows and victims of sexual violence

Report of the Secretary-General

Summary

The present report is submitted to the General Assembly in compliance with its request in resolution 62/96. It provides a status report and an analysis of the current challenges to the delivery of relief and rehabilitation assistance by the United Nations and its partners to survivors of the 1994 genocide in Rwanda.

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I. Introduction

1. The present report is submitted to the General Assembly in compliance with its resolution 62/96, in which it requested the Secretary-General to encourage relevant agencies, funds and programmes of the United Nations system to provide assistance to survivors of the 1994 genocide in Rwanda, particularly in the areas of education for orphans, medical care and treatment for victims of sexual violence, including HIV-positive victims, trauma and psychological counselling, skills training and microcredit programmes; to support activities aimed at genocide victim remembrance and genocide prevention; and to support efforts to enhance judicial capacity-building.

II. Review of major developments

2. Fifteen years after the tragic events that occurred in Rwanda, the country is slowly recovering and on the path to a more promising future. Overall, Rwanda's economic performance continues to be on track. Growth is driven mainly by the agriculture sector and improved performance in the manufacturing and service sectors. In addition, structural reforms have helped to maintain both good macroeconomic performance and substantial improvements in the social indicators.

3. The Government has shown strong commitment to national reconciliation and consolidation of peace through demobilization and reintegration of ex-combatants. The democratization effort focuses on a decentralized and inclusive administration representing all segments of the population, including marginalized communities, political parties and academia. As a result, remarkable progress has been made in peace and stability through the strengthening of democratic institutions and processes.

4. The strongest performance was recorded in the years immediately after the crisis, with 10.5 per cent annual average growth in GDP from 1996 to 2002. Growth slipped to an annual average of 5.5 per cent from 2003 to 2006, but recovered to 7.9 per cent and 11.5 per cent in 2007 and 2008, respectively. The continued strong performance is driven by prudent reforms and public expenditure management that are supported by good economic governance, strong performance in the agriculture and service sectors, and significant public and private investments. Rwanda, like most countries in the developing world, has also been affected by the global commodity price escalation as well as the financial crisis. High commodity prices, contracted exports, and dwindling access to financial resources will continue to have an impact on growth and government programmes. As a result, GDP growth in 2009 is projected at around 5.5 per cent.

5. Overall, poverty fell from 60.5 per cent in 2000/01 to 57 per cent in 2005/06. There was also a decline in the levels of infant and maternal mortality, HIV infection and malaria. Primary school enrolment has increased and nutrition levels have improved. Rwanda is a leader in gender equality, surpassing all countries in female representation in Parliament and in executive positions in Government, including at the ministerial level. In the light of the those improvements, Rwanda is on track to achieve Millennium Development Goals 2 (universal primary education), 3 (gender equality) and 6 (combat HIV/AIDS).

III. Current challenges to development

6. Rwanda is confronted with many challenges in its pursuit of development, including high population density (368 persons per sq. km), limited access of the population to safe water and energy, poor infrastructure, high reliance on subsistence, and limited participation of the private sector in the economy.

7. The genocide and the surge in HIV/AIDS cases have left Rwanda with one of the world's highest proportions of child-headed households. In education, the main challenge is to accommodate the increasing number of primary school pupils while improving quality.

8. Access to economic and social services by genocide survivors remains limited, as evidenced by the low school enrolment rate of the children of genocide survivors. Most of the survivors' families lack access to adequate housing and safe water, and suffer from discrimination in accessing bank credit as well as economic opportunities in general. The *Ubudehe* programme, a governmental programme of collective action that enforces the tradition of mutual assistance aimed at creating income-generating opportunities, is not effectively addressing these challenges.

9. Moreover, the right to security of the genocide survivors is threatened and there is a lingering genocide ideology, as shown by the recent destruction of a banana plantation owned by genocide survivors in the district of Rusizi and attacks on genocide survivors who testified in court in the Northern Province of Rwanda.

10. To address these challenges, the Government, with the support of the donor community and the United Nations, is making every effort to sustain achievements made in the social sectors in the past one and a half decades. Efforts are being made to modernize the agriculture sector by introducing irrigation systems, investing in physical infrastructure and human capacity to create a climate conducive to investment, as well as to capitalize on opportunities offered by the East African Community, which Rwanda has recently joined. In general, the Government is trying to revise and streamline investment regulations to create additional stimuli for private sector development.

11. The Government continues to implement an ambitious reform programme for poverty reduction. Rwanda's Economic Development and Poverty Reduction Strategy, covering the period from 2008 to 2012, has refocused the country's priority on growth and human development. It is built on the foundations laid by the implementation of the first poverty reduction strategy paper, covering the years 2002 to 2006, which was elaborated in a post-conflict environment and focused primarily on sectors that would yield immediate growth benefits and rebuild the human resource and infrastructure base.

IV. United Nations support

12. Through its rights-based approach, the United Nations country team has developed a comprehensive programme aimed at addressing access to economic and social rights by genocide survivors, and at enhancing their political participation at the national and local levels.

13. United Nations support to genocide survivors is provided mainly as technical support to key institutions of the justice sector (the courts and law enforcement

bodies) and public institutions responsible for unity and reconciliation efforts at the district and central levels. Through the Support to Gacaca project, judges are trained, coordination meetings are organized, and a database of cases is maintained for subsequent transfer to the Prosecutor's Office. In addition, the project contributes to documenting the history of the gacaca courts, including the history of individual cases, and the establishment of a documentation centre for when the courts close late in 2009.

14. Through the National Police and the Prosecutor's Office, the United Nations provides psychosocial support to victims as well as transport for, accommodation of and protection to witnesses. In addition, supported projects ensure that all law enforcement departments — as well as the general population — are cognizant of witnesses' and victims' rights. Moreover, support is provided to community policing and crime prevention, which are crucial to maintaining the security of survivors.

15. In the area of conflict prevention and reconciliation, the United Nations in Rwanda supports the National Unity and Reconciliation Commission through the following initiatives: workshops on unity and reconciliation conducted for grass roots-level women leaders in three provinces; seminars conducted for primary school head teachers on addressing the prevailing genocide ideology; creation and maintenance of student debating clubs; support to early warning committees at the provincial level to identify potential conflicts and take preventive measures to forestall the eruption of full-scale violence; stakeholders workshops in 10 districts aimed at holding a dialogue on the prevalence of genocide ideology; the establishment of National Unity and Reconciliation Forums at the national and district levels to strengthen the coordination and tracking of countrywide initiatives relating to unity and reconciliation; harmonization of unity and reconciliation plans by different actors and the sharing of information between the various actors; the holding of forums to sensitize citizens on the national policy on unity and reconciliation; and support to capacity-building forums for outreach to citizens.

16. The United Nations country team has established a good partnership with other development organizations and is undertaking activities across key sectors. The United Nations supports the non-governmental organization Sevota, which assists women and girl survivors of the 1994 genocide in the Kamonyi district (Southern Province) by conducting training and sensitization programmes on HIV/AIDS prevention, prevention of gender-based violence, rehabilitation of victims, gender and development, income-generating activities, sexual and reproductive health, and family planning. With United Nations support, Sevota has assisted 100 women genocide survivors to pay medical insurance fees and undertake income-generating activities such as production of handicrafts and small livestock farming.

17. In the health area, the United Nations supports two major components on nutrition in health facilities across the country that cater to vulnerable population groups, including widows and orphans who are genocide survivors. Under the Mother and Child Health nutrition programme, support is provided to malnourished pregnant women, nursing mothers and children under 5 years of age. The United Nations also supports the antiretroviral treatment programmes in 137 health facilities across the country, where food supplements are provided as part of a comprehensive care package for vulnerable people living with HIV/AIDS.

18. In the education sector, the United Nations provides support to the vulnerable, including orphans, through school feeding programmes which provide around

300,000 school children in 300 primary schools with a daily hot meal. Particularly in the case of insecure households, this support is helping to address the dual problem of school retention and performance levels.

19. Most recently, the United Nations country team and the Federation of International Civil Servants' Associations jointly contributed to the One Dollar Campaign for Genocide Survivors launched by the Diaspora General Directorate within the Ministry of Foreign Affairs and Cooperation, in collaboration with the Rwandan Diaspora Global Network. The initiative is an expression of the personal commitment of United Nations staff and their sincere solidarity with genocide survivors. The funds collected from this event (US$ 7,857) will be used to provide accommodation facilities for vulnerable and homeless orphan students.

20. The United Nations is committed to further partnering with the Government of Rwanda in the reconciliation process and in supporting the survivors of the genocide.

V. Conclusions and recommendations

21. Despite the remarkable progress in peace and stability made by Rwanda since 1994, which has translated into improved economic performance, the country still faces enormous challenges to sustain these gains and to achieve the Millennium Development Goals by 2015. To this end, continued United Nations support in priority areas to consolidate democratic governance and improve productivity is critical.

22. The selection of Rwanda as one of the eight pilot countries for the "Delivering as one" programme in 2007 led to the preparation of the second United Nations Development Assistance Framework for implementation under the programme. This further consolidated United Nations support to the country, enhancing coherence and the efficiency of its operations. The common operational document (2008-2012), which is the basic reference for United Nations system support, focuses on governance, health, education, environment and natural resources management, and sustainable growth and social protection.

23. Within the overall framework of support, interventions for genocide survivors include improving access to justice and witness protection programmes; promoting the participation of children, young people and women in the democratic process, including in decision-making at the national and local levels; providing alternative and complementary education for out-of-school children; enhancing the retention rates at primary, secondary and tertiary levels; expanding the school feeding system in food insecure areas; improving access to quality preventive, curative, promotional and rehabilitative services, especially to victims of sexual violence, HIV-positive persons, children and women; enhancing trauma and psychological programmes; and promoting effective safety nets for the protection of the most vulnerable groups.

24. Further areas of support include enhancing housing and associated amenities for vulnerable groups such as orphans, widows, returnees and the internally displaced. Assistance is also provided for livelihood initiatives, for orphans and vulnerable children, for protection against gender-based violence, and the formulation and implementation of gender-sensitive social and economic policies in favour of the poor and disadvantaged.

25. Supporting groups to build sustainable micro-, small and medium enterprises and other income-generating activities through capacity-building, microcredit and access to markets remains a priority for self-sufficiency and poverty alleviation. In addition, support to special initiatives to address the needs of those who have experienced physical injuries that have resulted in mental and/or physical disabilities is critical, as is support for ageing genocide survivors.